

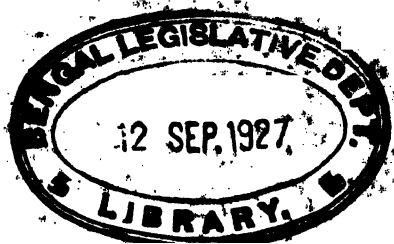






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THE INDIAN  
QUARTERLY REGISTER

July-December 1926

VOL. II:

PRINTED AND PUBLISHED BY  
**NRIPENDRA NATH MITRA.**  
AT THE "BELA PRESS"

'108, KHETTER BANNERJEA LANE, -  
SIBPUR, HOWRAH.

# THE INDIAN QUARTERLY REGISTER

BEING A QUARTERLY JOURNAL  
OF INDIAN PUBLIC AFFAIRS

In matters Political, Social and  
Economic, Etc.



Volume II ] July-Decr. 1926. [ Numbers III & IV.

Editor:—Nripendra Nath Mitra.

ANNUAL SUBSCRIPTION PAYABLE IN ADVANCE Rs. 12 ONLY.

VOLUMES: CLOTH BOUND Rs. 7 EACH.

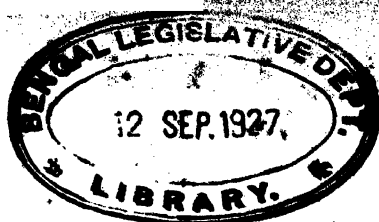
LEATHER BACK LIBRARY EDITION Rs. 8 EACH.

SINGLE QUARTERLY ISSUES Rs. 3-6.

POSTAGE EXTRA.

PUBLISHED BY  
THE ANNUAL REGISTER OFFICE  
SHIBPUR, CALCUTTA.





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July-December 1926

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# Chronicle of Events.

July 1926

- 1 July '26 Congress Karmi Sangha Meeting in Calcutta adopts Social reconstruction work apart from political.  
Serious Riot at Pabna (Bengal) following a Hindu procession with Music in front of a Mosque.
- 3 July do. Mrs. Sorojini Naidu at Chinsurah—Desbandhu Das's Portrait unveiled.
- 4 July do. Monster Meeting of Calcutta Hindus at the Town Hall to protest against the Govt. Communique of "No Music Before Mosque."—Mr. J. N. Basu, the President, dwelt on the legal aspect of the question. Mr. Goswami characterised the Government's action as "pig-headed and perverse."  
Meeting of the Working Committee of the All-India Congress Committee in Calcutta.  
Dr. Kitchlew's impassioned appeal for unity to a Hindu-Mahomedan Meeting in Calcutta.
- 5 July do. Dr. Kitchlew at Patna—Tanzim Movement explained.
- 6 July do. Zamindar of Sitlai and Mr. Ranajit Lahiri arrested in connection with the immersion of mutilated images following the Pabna riot.
- 7 July do. Sen Gupta—Goswami controversy—compromise arrived at,  
Lord Olivier's letters to the "Times" on the Hindu-Moslem Tension—accused the Officials of Pro-Moslem bias.
- 11 July do. Sind Journalists' Conference at Karachi—a Journalists' Society formed. All-India Anniversary Day of Late Desbandhu Das celebrated at Calcutta Bombay, Madras and other places with due solemnity.  
The Third Phase of the Calcutta riots began and continued up to the 25th—The Riot commenced on this day following the Raj Rajeswari Procession.
- 12 July do. Delhi Hindu Sabha protest against Bengal Government's decision regarding Music before Mosque.  
Select Committee Report on the Howrah Bridge Bill considered and carried in the Bengal Council.
- 13 July do. Howrah Bridge Bill passed in the Bengal Council.
- 15 July do. Report of the Tariff Board published at Simla—no protective duty on imported coal.
- 17 July do. Lord Irwin's Speech on communal tension at the Chelmsford Club, Simla—His Excellency's appeal for toleration and good-will.
- 18 July do. All-India Cow Conference in Calcutta urged Government to regulate slaughter of cattle by legislation.
- 19 July do. Hindu Moslem riot in Paikpara, Calcutta on the Car Festival day—1 Hindu Killed, 5 Mahomedans, 2 Hindus wounded.
- 21 July do. Serious riot in Calcutta during the Moharram Procession—Police compelled to fire on the Mahomedans.

- 30 July '26 Indian Debate in the House of Commons—Budget Estimates passed—Earl Winterton on Communal tension and disintegration of Swarajists.  
Personnel of the Bombay Backbay Enquiry Committee announced—Chairman: Sir G. Mears and Members: Sir M. Visvesvarayya, Sir, F. Hopkinson and Mr. S. B. Billimoria.  
Serious Mill Strike at Bangalore—4 killed and 14 injured.
- 23 July do. Manifesto of the Bengal Responsivist Party issued at Calcutta—the party declared their policy of working the Reforms, however defective.  
The Local Self-Government Conference at Poona opened by H. E. the Governor.
- 25 July do. B. P. C. C. Meeting in Calcutta—Election of 30 Members to the Executive Committee.  
Public Meeting at Bombay on Communal tension—a Round Table Conference proposed.
- 27 July do. Post Riot Conference in Calcutta of Hindu and Moslem citizens led by Maharaja Burdwan and Nawab Murshidabad—Sir B. N. Mitra's proposal for a Conciliation Board.
- 28 July do. Indian Debate in Lords—Lord Birkenhead on the Bengal Detenues—more "goodwill" demanded.  
Lord Irwin at Poona—In reply to the Moslem deputation His Excellency reiterated his deep anxiety to ease the communal tension.
- 30 July do. The Mysore Economic Conference opened by the Dewan at Bangalore.
- 31 July do. The Nehru-Azad Manifesto proposing an Indian National Union Published.

## August 1926.

- 1 Aug. '26 Tilak Anniversary Day observed throughout India with great enthusiasm.
- 3 Aug. do. Mr. Bole's Bill to amend the law relating to the emoluments of the Hindu priests passed third reading in the Bombay Council.
- 4 Aug. do. Pt. Malaviya and Dr. Moonjee served with prohibition order not to enter Calcutta.
- 5 Aug. do. Representative Labour Deputation submitted a Memorandum to the Home Member in which relief was sought in respect of Labour representation in the Councils and Assembly, fines levied on workers and the administration of the Workmen's Compensation Act.
- Aug. do. Mr. Biswanath Das honourably acquitted by the Madras High Court—the Judges strongly condemned the prosecution tactics.
- Aug. do. The Indian Currency Bill published at Simla.  
Pt. Malaviya defied the prohibition order and arrived in Calcutta—no arrest was made—great sensation prevailed throughout the country.
- 9 Aug. do. Dr. Moonji arrived in Calcutta—not arrested.  
Summons issued against Pt. Malaviya and Dr. Moonji for disobeying the prohibition order.
- 11 Aug. do. Calcutta High Court in full Bench ruled that the Police can not detain arrested persons for an indefinite period without their being produced before the Magistrate.

SEPTEMBER '26]

## CHRONICLE OF EVENTS

- 16 Aug. '26 Responsive Co-operation Party formed in Andhradesa—provisional-committee appointed.  
Passing away of the Hon. Mr. M. A. Desai, the foremost Kenya Indian leader.
- 17 Aug. do. Indian disabilities in Natal—The Township Ordinance ratified—a blow to Indian civic rights.  
H. E. Lord Irwin opened the autumn Session of the Central Legislature at Simla.
- 18 Aug. do. The Calcutta Municipal Amendment Bill passed in the Bengal Council.
- 19 Aug. do. Charges against Pt. Malaviya and Dr. Moonji withdrawn by the Bengal Government.
- 20 Aug. do. The Cr. Procedure Code Amendment Bill regarding the confiscation of communal literatures introduced in the Assembly by Sir A. Muddiman.
- 23 Aug. do. The Currency Bill introduced in the Assembly—Mr. Rangachariar's motion for eliciting opinion was put and carried.
- 25 Aug. do. Conversations between the different Party leaders at Simla regarding the formation of a United Congress Party continued on this and following days.
- 26 Aug. do. Lala Lajpat Rai's resignation from the Swaraj Party—The Historic Correspondence between Pt. Nehru and Lala Lajpat Rai. (See p. 51).  
Congress Working Committee meeting held at Simla.  
Cr. P. C. Amendment Bill passed in Assembly after a heated debate.—Mr. Rangachariar's motion for limiting operation of the Bill for two years was lost.  
Bar Councils Bill passed in the Assembly.
- 27 Aug. do. Discussion on the Irrigation Bill in the Madras Council adjourned "Sine Die".
- 28 Aug. do. Inauguration meeting of the Responsive Co-operation Party in Calcutta presided over by Mr. B. Chakravarti.
- 29 Aug. do. B. P. C. C. meeting in Calcutta—compromise with the Karmi Sangha effected.

## September 1926.

- 1 Sept. '26 A Deputation of Indian Christians to H. E. the Viceroy under the leadership of Sir Harnam Singh deplored the extension of communal representation to the Services and urged that merit should constitute the main condition for admission to the Services.
- 2 Sept. do. The Bar Councils Bill as amended by the Council of State passed in the Assembly.  
The Malabar Tenancy Bill passed in the Madras Council.
- 3 Sept. do. Conference of Presidents and Dy. Presidents of the Assembly and Councils held at Simla on this and next day.
- 5 Sept. do. The Bengal Nationalist party in a manifesto condemned the obstructionist policy and urged the working of the reforms in the Council.  
The Congress Electioneering Campaign opened at Meerut by Pt. Nehru and Mrs. Sarojini Naidu.



- 6 Sept. '26 Political Situation in the Country—Mahatma Gandhi appealed to to leave his seclusion and assume leadership—The Mahatma's advice : " Follow the lead of the Charka ".  
Sir Abdur Rahim's Manifesto outlining the Policy of the Bengal Muslim Party issued.  
The Seventh Session of the Assembly of the League of Nations held at Geneva from 6th to 25th.—Speeches delivered by the Indian Delegation. (See p. 159).
- 7 Sept. do. Pt. Nehru at Aligarh—Congress principles explained.
- 8 Sept. do. Hindu-Moslem riot at Dacca following the Janmasthan Procession.
- 9 Sept. do. Calcutta European Association's telegram to the Government of India alleging the partial trial of Europeans charged with assaults on Indians in Assam and Bengal.
- 10 Sept. do. Informal meeting of the Indian National Union at Delhi—Draft rules framed—Members to sign a pledge.
- 11 Sept. do. Conference of the Independent Congress Party at Delhi—Compromise with the Swarajists failed.
- 12 Sept. do. Congress Working Committee meeting at Delhi eulogised Mr. Andrews for his invaluable and selfless services abroad.  
Hindu-Moslem Riot at Allahabad on the occasion of the Dadhkando festival—2 killed and 27 injured.
- 17 Sept. do. The Independent Party's election campaign opened by Pt. Majaviya at Lahore.  
The Hindu Religious Endowments Bill passed in the Madras Council.
- 18 Sept. do. Sir Abdur Rahim's manifesto on behalf of Bengal Muslim Party—no desire to injure Hindu interests.  
Arrival of the South African Parliamentary Deputation headed by the Hon. Mr. F. W. Beyers at Bombay.
- 20 Sept. do. H. E. the Governor of Bengal withheld assent to the Calcutta Municipal Amendment Bill.
- 21 Sept. do. Conference of Ministers and Commissioners of Excise from several parts of India opened by the Finance Member at Simla.
- 22 Sept. do. Annual meeting of the Madras Presidency Muslim League with Mr. Yakub Hasan in the Chair—the Hindus accused for turning the Muslim community into the Sixth Indian Caste.
- 23 Sept. do. Central Khilafat Committee meeting at Delhi—Report of the Indian Delegation to the Hedjaz Muslim Conference discussed.  
Arrival of the South African Deputation at Madras.
- 25 Sept. do. The Indian Hedjaz Conference opened at Lucknow under the Chairmanship of Mr. Salebhuoy Barodawalla.
- 27 Sept. do. Opium Smoking Bill passed in the Assam Council—punishment of imprisonment or fine to two or more persons smoking in company.  
Akali Leaders' Case withdrawn by the Punjab Government—fourteen leaders released on this day.

## October 1926.

- 2 Oct. '26 The Indian National Party opened election campaign in Bombay with Sir P. Thakurdas in the Chair.

NOVEMBER '26]

## CHRONICLE OF EVENTS

- 5 Oct. '26 Crowded Meeting of Hindus at Allahabad under Pt. Malaviya to protest against the restriction on Ramlila Procession.
- 7 Oct. do. Railway Conference at Simla presided over by Col. Walton.  
The Labour Conference at Margate—"Subject Peoples' right to Self-determination."
- 8 Oct. do. Opening the Indian National Council of Y. M. C. A. in London, Lord Birkenhead agreed to accept the Indian Demand for Swaraj on two conditions: "Co-operation and Communal Concord."
- 10 Oct. do. His Excellency Lord Lytton resumed office as Governor of Bengal on return from leave.
- 11 Oct. do. The Royal Commission on Agriculture held its first sitting in Simla with the Marquis of Linlithgow in the Chair.  
The Mysore Provincial Co-operative Conference opened by the Dewan at the Rangachari Memorial Hall, Mysore.
- 18 Oct. do. After a three weeks' sojourn in India, which was one long round of dinners and sight-seeing, the Deputation from South Africa left Bombay on their return journey.
- 16 Oct. do. Ramlila Procession abandoned at Allahabad—elsewhere passed off smoothly.
- 18 Oct. do. Strike in Bombay Mills due to effect of depression in cotton trade—about 8,000 holding out.
- 19 Oct. do. The Ninth Imperial Conference opened in London—India represented by Earl Winterton and Maharaja Burdwan.  
The Government of India's reply to the European Association that assault cases of Europeans on Indians should be fairly and impartially examined.
- 20 Oct. do. The General Election Manifesto of the Indian National Congress issued from Madras.
- 22 Oct. do. Lord Birkenhead's Speech at a gathering of Dominion Premiers at Guildhall—His promise of "generous" response to Co-operation.  
Bombay Business Associations' strong protest to Viceroy on the deflation of Currency as being detrimental to Agriculturists' interests.  
Death of Mr. S. Rangaswami Iyengar, Editor of the "Hindu," Madras.  
Riot at Chapra (Behar) following the sacrifice of a pig—eight persons wounded.
- 25 Oct. do. The Governor of Assam withheld assent to the Assam Opium Smoking Bill passed in the Council.
- 27 Oct. do. Inaugural Meeting of the Indian Currency League at Bombay,—Sir V. Sassoon presided.
- 29 Oct. do. Inaugural Meeting of the League of Nations Union, Madras Branch, presided over by His Excellency the Governor.
- 30 Oct. do. Police Commissioners' report on the third phase of the Calcutta Riots

## November 1926.

- 1 Nov. '26 Governor of Madras withheld Assent to the Malabar Tenancy Bill passed in the Council.
- 4 Nov. do. Maharaja Burdwan's advice to Indian Students in England—a "disaster" if they cherish a dislike of Britain.

- Nov. '26 Sir T. Vijiarghavaachariars' arrival from Canada—the Canadian People's Sympathy with India's aspirations.
- 6 Nov. do. U. P. Indian Christian Conference at Allahabad with Mr. Jordan in the Chair.
- 12 Nov. do. The Madras Unemployment Committee appointed by the Government to inquire and find out a solution for unemployment among middle classes commenced its sittings under the Chairmanship of Sir G. Paddison. Statute of Mr. G. K. Gokhale unveiled by His Excellency the Governor in the Senate House, Madras.
- 15 Nov. do. Deccan Sabha's send off to Rt. Hon. Mr. Sastri on the eve of his departure to S. Africa to participate in the Round Table Conference.
- 16 Nov. do. Death of the Hon. Justice Sir Lallubhai A. Shah at Bombay. Finance Members' Conference opened at Delhi—Discussion on Meson Settlement.
- 19 Nov. do. The International Textile Workers' Delegation under their leader, the Rt. Hon. Tuomas Shaw arrived in Bombay. Mr. Satin Sen, the leader of the Patnakhali Satyagraha arrested under Police Act.
- 20 Nov. do. Report of the Imperial Conference published in London—The report explains that no mention is made of India because the position of India is defined by the Government of India Act 1919.
- 22 Nov. do. Hearty Send-off at Bombay to the Hon. Mr. Habibulla, the Rt. Hon. Mr. Sastri, Sir P. Sethna and Sir D. Lindsay, the Indian Delegates to the Cape Town Round Table Conference. Chamber of Princes opened at Delhi by His Excellency the Viceroy—proceedings not open to the Press.
- 25 Nov. do. The Railway Rates Advisory Committee commenced its sittings at Delhi—enquiry held into freight concessions. The Punjab Enquiry Committee Report on the Commercial education in the Punjab published—Post Matriculation classes advocated.
- 28 Nov. do. The Eighth Andhra Provincial Conference commenced its session at Ellore under the Presidency of Mr. K. Viraraghavaswami. Andhra Social Reform Conference held at Ellore under the presidency of Dr. M. Rangayya.
- 29 Nov. do. Aerial Transport in India—The Indian Air Board's recommendation to the Government of India for subsidising commercial Air services published.
- 30 Nov. do. St. Andrews' Dinner in Calcutta—Lord Lytton on the failure of Reform in Bengal—Mutual lack of faith the cause.

## December 1926.

- 1 Dec. do. Appeal in the Panipat Riot Case concluded at Lahore—Sentences reduced. Second reading of the Judicial Committee Bill moved in the House of Commons.
- 2 Dec. do. Government of Bengal's resolution on the Excise policy—System of Licensing Boards to be extended.
- 5 Dec. do. Sixth Pudukottah Peoples' Conference under the Presidency of Mr. S. Satyamurthi who urged everybody to "assert the right of Swaraj."

- 4 Dec. '26 Thirty-Second Session of the Tamil Nadu Provincial Conference held at Madras under the presidency of Mr. K. V. Bangaswami Iyengar.  
Fourth Annual Conference of the European Association held at Cawnpore under the presidency of Mr. Langford James.
- 5 Dec. do. B. P. C. C. meeting in Calcutta ended in blows and fusillade of bricks and stones—Police help sought—five persons arrested.  
Twentieth Session of the U. P. Provincial Conference opened at Kashi-pur under the presidency of Babu Shiva Prasad Gupta.
- 6 Dec. do. The Eighth Annual meeting of the Associated Chambers of Commerce opened by H. E. the Viceroy at Cawnpore.
- 9 Dec. do. The Indian School of Mines at Dhanbad opened by H. E. the Viceroy.
- 12 Dec. do. Punjab P. C. C. Meeting—Compromise resolution passed.
- 14 Dec. do. Opening of the New Madras Council after the general elections under the Chairmanship of Mr. Wood.  
Arrival of the South African Delegation at Mozambique.  
European Association's dinner to H. E. the Viceroy in Calcutta—Mr. Langford James' amazing speech: "We have a right to be in India on moral, but equally strong grounds."
- 17 Dec. do. The Round Table Conference opened by Gen. Hertzog in Cape Town and then adjourned till 20th.  
Informal Conference of the Indian Mining Federation with Sir Charles Innes in Calcutta—Reduction in freight of Coal urged.
- 19 Dec. do. Universal Prayer Day throughout South Africa and India for the success of the Round Table Conference.
- 21 Dec. do. Annual Meeting of the Madras Chamber of Commerce under the presidency of Mr. C. E. Wood—Review of Trade conditions.
- 23 Dec. do. Murder of Swami Shraddhananda Sanyasi at Delhi by a Moslem Fanatic—horror and indignation throughout the country.
- 25 Dec. do. Tenth Session of the Non-Brahmin Conference opened at Madura under the presidency of Sir A. P. Patro.
- 26 Dec. do. Forty first Session of the Indian National Congress opened at Gauhati under the presidency of Mr. Srinivasa Iyengar.
- 27 Dec. do. The National Liberal Federation opened at Akola under the presidency of Sir Sivaswami Aiyar.  
All-India Political Sufferers' Conference held at Gauhati under the Presidency of Dr. B. N. Dutt.  
All-India Volunteer's Conference held at Gauhati under the Presidency of Pt. Motilal Nehru.
- 28 Dec. do. Special Session of the All-India Hindu Mahasabha opened at Gauhati under the Presidency of Pt. Madan Mohan Malaviya.  
Thirteenth Session of the All-India Christian Conference opened at Madras under the Presidency of Rai A. C. Mukherjee Bahadur.
- 29 Dec. do. Eighteenth Session of the All-India Muslim League held at Delhi under the Presidency of Khan Bahadur Sk. Abdul Qadir.  
Annual Meeting of the Bengal Police Association at Calcutta under the Presidency of Mr. S. N. Banerjee.  
All-India Kayastha Conference at Calcutta under the Presidency of Mr S. M. Chitnavis.
- 31 Dec. do. East African Indian Congress at Mombassa passed resolution expressing grief at the sad murder of Swami Shraddhananda.  
Fourth Session of the Indian Industrial Congress opened in Calcutta under the Presidency of Sir Dinshaw Petit.



# **INDIA IN HOME POLITY**

**July-December 1926**



# All-India Congress Committee

## Constitution of the Congress.

The following is the full text of the constitution of the Indian National Congress as amended at the Gauhati Session, 1926, and published by the General Secretary of the All-India Congress Committee.

### ARTICLE I.

The object of the Indian National Congress is the attainment of Swarajya by the people of India by all legitimate and peaceful means.

### ARTICLE II.

(a) The Indian National Congress shall ordinarily meet once every year during the last week of December at such place as may have been decided upon at its previous session or such other place as may have been determined by the All-India Congress Committee hereinafter referred to.

(b) An extraordinary session of the Congress shall be summoned by the All-India Congress Committee on the requisition of a majority of the Provincial Congress Committees or of its own motion, provided, in the latter case due notice has been given and the proposal is supported by two thirds of the members present. The All-India Congress Committee shall determine the place where such session is to be held, and the Articles of the constitution shall apply with such modifications as the All-India Congress Committee may consider necessary in respect of each such session.

### ARTICLE III.

The Indian National Congress organisation shall consist of the following :—

(a) The Indian National Congress. (b) The All-India Congress Committee. (c) Provincial Congress Committees. (d) District Congress Committees. (e) Sub-Divisional, Taluq or Tahsil, Firka and other local Congress Committees. (f) Such other committees outside India as may from time to time be recognised by the Congress in this behalf. (g) The Reception Committee of the Congress.

NOTE : Provincial, District, Taluq or Tahsil and other conferences may be organised by the above-named committees for educative and propaganda purposes.

### ARTICLE IV.

No person shall be eligible to be a member of any of the organisations referred to in the foregoing Article, unless he or she has attained the age of 18 and expresses in writing his or her acceptance of the object and the methods as laid down in Article I of this constitution and of the rules of the Congress.



## THE ALL-INDIA CONGRESS COMMITTEE

## ARTICLE V.

The following shall be the provinces with head-quarters mentioned against them, but in every case the respective Provincial Congress Committees. Provincial Congress Committee shall have the power to alter the head-quarters from time to time.

<i>Province.</i>	<i>Language.</i>	<i>Head-quarters.</i>
1 Ajmer, Merwata and Rajputna ...	Hindustani ...	Ajmer
2 Andhra ...	Telugu ...	Madras
3 Assam ...	Assamese ...	Gauhati
4 Behar ...	Hindustani ...	Patna
5 Bengal and Surma Valley ...	Bengali ...	Calcutta
6 Berar ...	Marathi ...	Amraoti
7 Burma ...	Burmese ...	Rangoon
8 Central Provinces ... (Hindustani)	Hindustani ...	Jubbulpore
9 Central Provinces ... (Marathi)	Marathi ...	Wardha
10 City of Bombay ...	Marathi and Gujarati	Bombay
11 Delhi ...	Hindustani ...	Delhi
12 Gujarat ...	Gujarati ...	Ahmedabad
13 Karnatak ...	Kannada ...	Gadag
14 Kerala ...	Malayalam ...	Calicut
15 Maharashtra ...	Marathi ...	Poona
16 Punjab and N. W. Frontier Provinces	Punjabi and Hindustani	Labore
17 Sind ...	Sindhi	Karachi
18 Tamil Nadu ...	Tamil ...	Madras
19 United Provinces ...	Hindustani ...	Alahabad
20 Utkal ...	Oriya	Cattack

Provided that the All India Congress Committee may from time to time assign particular Indian States to particular provinces, and a provincial Congress Committee may in its turn allot particular Indian States assigned to it by the All India Congress Committee to particular districts within its jurisdiction.

## ARTICLE VI.

(a) There shall be a Provincial Congress Committee in and for each of the provinces named in the foregoing Article.

(b) Each Provincial Congress Committee shall organise District and other committees referred to in Article III and shall have the power to frame rules laying down conditions of membership and for the conduct of business not inconsistent with this constitution or any rules made by the All India Congress Committee.

(c) Each Provincial Congress Committee shall consist of representatives elected annually by the members of the Congress organisations in the province in accordance with the rules made by the Provincial Congress Committee.

(d) Each Provincial Congress Committee shall submit an annual report of the Congress work in the province to the All India Congress Committee before the 30th November.

## ARTICLE VII.

(i) Every person not disqualified under Article IV and paying a subscription of 5 annas per year in advance, or 200 yards of evenly spun yarn of his or her own spinning, shall be entitled to become a member of any primary organisation controlled by a Provincial Congress Committee: provided that no person shall be a member of two parallel Congress organisations at one and the same time.

(ii) The yarn subscription mentioned in section (i) shall be sent direct by the spinner to the Secretary, All India Spinners' Association or to any person nominated by the Secretary in this behalf, and a certificate from the Secretary, All India Spinners' Association to the effect that he has received 200 yards of evenly spun yarn of the holder's own spinning as his or her yearly subscription shall entitle the holder to the membership mentioned in section (i) hereof: provided that for the purpose of checking the accuracy of the returns made by the All India Spinners' Association, the All India Congress Committee or any Provincial Congress Committee or any sub-committee thereunder shall have the right to inspect the accounts, the stock and the vouchers of the All India Spinners' Association or any subordinate organisation thereunder and provided further that in the event of any inaccuracy or error discovered by the inspecting body in the accounts, stock or vouchers examined, the certificates issued by the All India Spinners' Association in respect of persons with reference to whose membership the accounts have been examined, shall be declared cancelled; provided that the All India Spinners' Association or the person disqualified shall have the right of appeal to the Working Committee. Any person wishing to spin for the membership of the Congress may, if he or she desires, be supplied upon due security with cotton for spinning.

(iii) The year of the membership shall be reckoned from the 1st January to the 31st December and there shall be no reduction in the subscription to be paid by members joining in the middle of the year.

(iv) a. No person shall be entitled to vote at the election of representatives or delegates or any committee or sub-committee of any Congress organisation whatsoever or to be elected as such or to take part in any meeting of the Congress or Congress organisation or any committee or sub-committee thereof, if he has not complied with section (i) hereof and does not habitually wear hand-spun and hand-woven khaddar.

b. The Working Committee shall frame rules for the proper carrying out of the provisions of this section.

## ARTICLE VIII.

Each Provincial Congress Committee shall be responsible for the election of delegates to the Congress.

No one who had not enlisted himself as a Congress member on or before the 1st October immediately preceding a particular session of the Congress shall be qualified for election as a delegate to that session.

The members of the All-India Congress Committee shall be ex-officio delegates to the Congress. Besides these ex-officio delegates the number of delegates returnable by Provincial Congress Committees shall be not more than one for every fifty thousand, or its fraction, of the inhabitants of each province, including the Indian States therein, in accordance with the census

## THE ALL-INDIA CONGRESS COMMITTEE

of 1921; provided, however, that the inclusion of Indian States in the electorate shall not be taken to include any interference by the Congress with the internal affairs of such States.

Each Provincial Congress Committee shall frame rules for the election of delegates, due regard being had to the return of women delegates and the representation of minorities, special interests or classes needing special protection.

The rules shall provide for the organisation of electorates and shall prescribe the procedure to be adopted for securing the proportional representation, by a single transferable vote or by any other method, of every variety of political opinion. Notice of all changes in the rules framed by the Provincial Congress Committee shall forthwith be sent to the general secretaries of the Congress.

Each Provincial Congress Committee shall send to the office of the All-India Congress Committee, an alphabetical list of the delegates so elected, containing the full name, occupation, age, sex, religion and address of each of them to reach the office not later than 10 days before the date fixed for the holding of the session. No changes shall be made in the list within ten days of the Congress. In case, however, of interim vacancies, the Provincial Congress Committee shall fill them in accordance with the rules made in that behalf. Such rules shall not be valid unless they have been previously confirmed by the Working Committee.

### ARTICLE IX.

Each Provincial Congress Committee shall pay annually such subscription to the All-India Congress Committee as may be fixed by the latter from time to time.	Provincial Subscriptions.
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### ARTICLE X.

Each committee referred to in Article VIII, shall issue certificates to the delegates duly elected in accordance with the form and signed by a secretary of the committee.	Delegation Certificate.
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### ARTICLE XI.

Every delegate on presenting such a certificate and paying a fee of one rupee at the office of the All-India Congress Committee in the Congress camp at the place where the Congress is held shall receive a ticket entitling him to admission to the Congress.	Delegate's Fee.
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### ARTICLE XII.

Delegates shall alone have the power of voting at the Congress sittings or otherwise taking part in its deliberations.	Voting at Congress.
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### ARTICLE XIII.

The Reception Committee shall be formed by the Provincial Congress Committee at least six months before the meeting of the annual session and may include persons who are not members of the Provincial Congress Committee. The members of the Reception Committee shall pay not less than Rs. 25 each.	Reception Committee.
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### ARTICLE XIV.

The Reception Committee shall elect its chairman and other office-bearers from amongst its own members.

ARTICLE XV.

It shall be the duty of the Reception Committee to collect funds for the expenses of the Congress session, to elect the president of the Congress in the manner set forth in the following Article, to make all necessary arrangements for the reception and accommodation of delegates and guests and, as far as practicable, of visitors, and for the printing and publication of the report of the proceedings, and to submit statements of receipts and expenditure to the Provincial Congress Committee within four months of the session of the Congress.

ARTICLE XVI.

The several Provincial Congress Committees shall, as far as possible, by the end of June, suggest to the Reception Committee the names of persons who are in their opinion eligible for the presidentship of the Congress, and the Reception Committee shall, as far as possible, in the first week of July, submit to all the Provincial Committees the names so suggested, for their final recommendations; provided that such final recommendation will be of any one but not more of such names, and the Reception Committee shall, as far as possible, meet in the month of August to consider such recommendations. If the person recommended by a majority of the Provincial Congress Committees is adopted by a majority of the members of the Reception Committee present at a special meeting called for the purpose, that person shall be the president of the next Congress. If, however, the Reception Committee is unable to accept the president recommended by the Provincial Congress Committees, or an emergency arises by resignation, death or otherwise, of the president elected in this manner, the matter shall forthwith be referred by it to the All-India Congress Committee whose decision shall be arrived at, as far as possible, before the end of September. In either case, the election shall be final, provided that in no case shall the person so elected as president belong to the province in which the Congress is to be held.

The president of a special or extraordinary session shall be elected by the All-India Congress Committee subject to the same proviso.

ARTICLE XVII.

(a) The All-India Congress Committee shall pay to the Reception Committee within a fortnight after the termination of the Congress session half the delegation fees.

(b) If the Reception Committee has a balance after defraying all the expenses of the session, it shall hand over the same to the Provincial Congress Committee in the province in which the session was held, towards the Provincial Congress fund of that province.

ARTICLE XVIII.

(a) The receipts and expenditure of the Reception Committee shall be audited by an auditor or auditors appointed by the Provincial Congress Committee concerned, and the statement of accounts together with the Provincial Congress Committee not later than six months from the termination of the Congress, to the All-India Congress Committee.

(b) The accounts of the All-India Congress Committee shall be audited every year by an auditor appointed at the annual session. It

## THE ALL-INDIA CONGRESS COMMITTEE

shall be competent to this auditor to call for and inspect the accounts of the Provincial Congress Committees.

(c) The All India Congress Committee shall take steps to ensure that the accounts of the Provincial Congress Committees are properly audited.

### ARTICLE XIX.

The All India Congress Committee shall consist of 350 members, All India Congress Committee. exclusive of ex-officio members.

The ex-officio members shall be the elected president, past presidents of the Congress if they sign Article I of this constitution and are members of any Congress organisation, the general secretaries and the treasurers of the Congress.

Each Provincial Congress Committee shall elect the allotted number of members of the All India Congress Committee from among the members of the Congress Committees within its jurisdiction.

The Allotment shall be, as far as possible, on the basis of population according to the linguistic distribution of provinces, as given in page 10.

The method of election shall be the same as already prescribed for the election of delegates.

Elections to the All India Congress Committee shall ordinarily take place in the month of November.

Casual vacancies in the All India Congress Committee caused by resignation, death, absence from India, or otherwise, shall be filled by the Provincial Congress Committee.

The All India Congress Committee shall meet as often as may be necessary for the discharge of its obligations, and every time upon requisition by 30 members thereof, who shall state in their requisition the definite purpose for which they desire a meeting of the All India Congress Committee. When once such a meeting is requisitioned and convened, additional subjects may be brought up for consideration, provided due notice has been given to the members of the same.

The quorum for the All India Congress Committee shall be fifty.

The All India Congress Committee shall hold office till the election of the new All India Congress Committee.

### ARTICLE XX.

The secretaries of the respective Provincial Congress Committee shall issue certificates of membership of the All India Congress Committee to the persons so elected,

### ARTICLE XXI.

The All India Congress Committee shall be the committee of the

Function of A. I. C. C. Congress to carry out the programme of work laid down by the Congress from year to year and deal with all new matters that may arise during the year and may not be provided for by the Congress itself. For this purpose the All India Congress Committee shall have the power to frame its own rules not inconsistent with this constitution.

### ARTICLE XXII.

The president of the Congress shall be the chairman of the All India Congress Committee for the year following.

## CONSTITUTION OF THE CONGRESS

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### ARTICLE XXIII.

The Indian National Congress shall have three general secretaries and General Secretaries and two treasurers, who shall be annually elected by the Congress.  
Treasurers.

The treasurer shall be in charge of the funds of the Congress and shall keep proper accounts of them. The general secretaries shall be in charge of the office of the All India Congress Committee and shall be responsible for the publication of the reports of the proceedings of the preceding session of the Congress and of any special session held in the course of the year, in co-operation with the Reception Committee. Such report shall be published as soon as possible and not later than four months after the session, and shall be offered for sale.

The general secretaries shall prepare the report of the work of the All India Congress Committee during the year and submit it, with a full account of the funds which may come into their hands, to the All India Congress Committee at a meeting to be held at the place and about the time of the session of the Congress for the year; and copies of such account and report shall then be presented to the Congress and sent to the Congress Committee and published along with the next Congress report.

### ARTICLE XXIV.

The All India Congress Committee shall, at its first meeting after the annual session of the Congress, elect nine Working Committee, members who shall, with the president, general secretaries and treasurers, be the Working Committee of the Congress and the executive authority responsible to the All India Congress Committee in all matters.

All proceedings of the Working Committee shall be placed before the next meeting of the All India Congress Committee.

### ARTICLE XXV.

The members of the All-India Congress Committee shall constitute the Subjects Committee, Subjects Committee for the ordinary or extraordinary session following.

### ARTICLE XXVI.

The Subjects Committee shall meet at least two days before the meeting of the Congress in open session. At this meeting, the president-elect shall preside, and the outgoing secretaries shall submit the draft programme of the work for the ensuing session of the Congress, including resolutions recommended by the different Provincial Congress Committees for adoption.

### ARTICLE XXVII.

The Subjects Committee shall proceed to discuss the said programme and shall frame resolutions to be submitted to the open session.

### ARTICLE XXVIII.

The Subjects Committee shall also meet from time to time, as the occasion may require, during the pendency of the Congress session.

# THE ALL-INDIA CONGRESS COMMITTEE

## ARTICLE XXIX.

No subject shall be passed for discussion by the Subjects Committee or allowed to be discussed at any Congress by the president thereof, to the introduction of which the Hindu or Mohammedan delegates, as a body, object by a majority of three-fourths of their number, and if, after the discussion of any subject which has been admitted for discussion, it shall appear that the Hindu or Mohammedan delegates, as a body, are, by a majority of three-fourths of their number, opposed to the resolution which it is proposed to pass thereon, such resolution shall be dropped.

## ARTICLE XXX.

At each sitting of the Congress, the order in which business shall be transacted shall be as follows:—(a) The resolutions recommended for adoption by the Subjects Committee. (b) Any substantive motion not included in (a) but which does not fall under Article XXIX of the constitution and which 25 delegates request the president in writing, before the commencement of the day's sitting, to be allowed to place before the Congress; provided, however, that no such motion shall be allowed unless it has been previously discussed at a meeting of the Subjects Committee and has received the support of at least a third of the members then present.

## ARTICLE XXXI.

The All-India Congress Committee shall have the power to frame rules in respect of all matters not covered by the constitution and not inconsistent with its Articles.

## ARTICLE XXXII.

The All-India Congress Committee shall, at its first meeting every year, nominate a panel of twelve members to enquire into and finally decide all election disputes coming before it. The parties to the dispute shall nominate one each out of this panel to represent the respective disputants, and the president shall choose the third.

## ARTICLE XXXIII.

The proceedings of the Congress, the All-India Congress Committee and the Working Committee shall ordinarily be conducted in Hindustani; the English language or any provincial language may be used if the speaker is unable to speak in Hindustani or whenever necessary.

The proceedings of the Provincial Congress Committees shall ordinarily be conducted in the language of the province concerned. Hindustani may also be used.

## The Congress Election Manifesto

In October 1926, on the eve of the General Elections, an Election Manifesto of the Indian National Congress was issued under the authority of the Congress Working Committee by Mr. Rangaswami Iyengar, General Secretary, All-India Congress Committee.

The Manifesto surveyed the evolution of the Congress policy in the last three years and showed that "Self-reliance", an attitude of "resistance" to the Government, the refusal of supplies unless otherwise directed by the Working Committee and non-acceptance of office were among the most important points in the Congress Programme. The following is the text of the Manifesto :—

### THE TEXT OF THE MANIFESTO.

The Indian National Congress is taking part in the general elections to the Legislatures for the first time. The circumstances in which it has decided to do so are well-known and need not be set out here. All that is necessary is to recapitulate some of the resolutions passed by the Congress and the A. I. C. C. so far as they bear on the principles and policy which will govern Congressmen who are elected to the Legislatures of the country.

### Introductory.

2. The A. I. C. C. at its meeting held at Patna on the 22nd September 1925 resolved that "the Congress do now take up and carry on all such political work as may be necessary in the interest of the country" and provided that "the work in connection with the Indian and Provincial Legislatures shall be carried on in accordance with the policy and programme laid down by the Swaraj Party under the Constitution framed by the Party and the rules thereunder, subject to such modifications made by the Congress as may be found necessary from time to time for the purpose of carrying out the said policy." This resolution was confirmed by the Congress at its Cawnpore session and the basic principle on which all political work was to be carried on was laid down in the following terms :—

"This Congress reiterates its faith in Civil Disobedience as the only effective weapon to be used in the last resort to enforce the national claim and vindicate our national honour, but realises that the country is not now ready for it and in view thereof this Congress resolves that the guiding principle in carrying on all political work shall be self-reliance in all activities which make for the healthy growth of the nation and resistance to every activity, governmental or other, that may impede the nation's progress towards Swaraj.

### The Congress Adopts Swarajya Party Programme.

3. As regards the work in the Councils the Congress adopted "on behalf of the country the terms of the settlement offered to the Government by the Swaraj and Independent parties of the Assembly by the resolution passed on the 18th February 1924", and in view of the fact that there had been no response on behalf of the Government, the Congress resolved upon certain steps to be taken in the various legislatures culminating in the withdrawal of all Swarajist members from them. By the same resolution the Congress called upon the A. I. C. C. to frame a programme of work, including the education of the electorates, and authorised it to lay down the lines upon which the general elections were to be run by and in the name of the Congress and to state clearly the issues on which Congressmen were to seek



## THE ALL-INDIA CONGRESS COMMITTEE

election. The power thus conferred upon the A. I. C. C. was subject to the important proviso that "the policy of non-acceptance of offices in the gift of the Government shall continue to be followed until, in the opinion of the Congress, a satisfactory response to the settlement offered by the Assembly is made by the Government". The A. I. C. C. at its meeting held in Delhi gave the necessary directions for the carrying out of the mandate of the Congress and laid down that :—

The ensuing general elections will be run by and in the name of the Congress on the following programme, subject to such modifications as may be made by the Congress in its session of December 1936.

The general policy of Congressmen in the Assembly and the various Councils shall be one of determined resistance and obstruction to every activity, Governmental or other, that may impede the nation's progress towards Swaraj; and in particular, Congressmen in the legislatures shall :—

- (a) refuse to accept offices in the gift of the Government until, in the opinion of the Congress, a satisfactory response is made by the Government;
- (b) refuse supplies and throw out budgets, (unless otherwise directed by the All India Working Committee) until such response is made by the Government;
- (c) throw out all proposals for legislative enactments by which the bureaucracy proposes to consolidate its powers;
- (d) move resolutions and introduce and support measures and bill which are necessary for the healthy growth of national life and the advancement of the economical, agricultural, industrial, and commercial interests of the country;
- (e) take steps to improve the condition of agricultural tenants by introducing and supporting measures to secure fixity of tenure and other advantages with due regard to the rights of Zamindars; and
- (f) generally protect the rights of labour, agricultural and industrial, and adjust the relations between landlords and tenants, capitalists and workmen.

All Congressmen in the Central and Provincial Legislatures with only one or two lamentable exceptions having faithfully obeyed the Congress mandate, the Working Committee has approved, and have authorised me to publish this as the election manifesto of the Congress.

4. It will be evident from the above *resumes* of the proceedings of the Congress and the A.I.C.C. that, subject to any changes made by the Congress from time to time, the policy and programme of the Swaraj Party were adopted as they stood on the dates on which the Congress of Cawnpore and the A.I.C.C. at Delhi passed the resolutions referred to above. This policy and programme have been the subject of considerable misrepresentation in a section of the Press and by persons who have since seceded from the Congress. It is therefore necessary to remove all misapprehension by tracing as briefly as possible the gradual development of the Swarajist policy and stating clearly what the Congress stands for to-day.

5. The election manifesto of the Swaraj Party issued on the eve of the last general elections declared that "the Party will not concern itself with trivial reforms in the various departments of the administration to be obtained by the grace of the Government, but would insist on the transference of the power to effect the necessary reforms from the bureaucracy to the people of India." It may be safely asserted that the Swaraj Party has, through good and evil report, firmly adhered to this policy which must be taken to be and is hereby declared to be the general policy of the Congress. The same manifesto provided for certain contingencies which did not happen, but advantage has been taken of these provisions to discredit the Swaraj Party, as, for instance, the constant harping upon the phrase "uniform, continuous and consistent obstruction," conveniently ignoring the preceding words "if they (the Swaraj Party) constitute a majority." There was indeed such a majority in the C. P. Council only; but as it turned out soon after the

election, a considerable proportion of that majority was not Swarajist by conviction, but had joined the Party to mark time. They have since openly declared their lack of faith in the Swarajist principles and have joined one or other of the new parties recently formed to oppose Congress candidates at the general elections. It will thus be seen that the conditions, necessary for a resort to the policy of "uniform, continuous and consistent obstruction" were never really fulfilled. The Swaraj Party therefore come to the conclusion that in view of the developments in the political situation and the varying attitude of the bureaucracy, it was necessary to reconsider the situation as it had developed.

## Natural Evolution of a Living Programme.

6. In May 1924 Deshbandhu C. R. Das and Pandit Motilal Nehru had several conferences with Mahatma Gandhi at Juhu (Bombay) as a result of which the well-known Juhu statements of the 22nd May 1924 were issued. The Swaraj Party in the Assembly met in June 1924 and on the basis of these statements proposed certain modifications in the rules governing them for the sanction of the General Council of the Party. The future line of action chalked out in these proposals was as follows:—

*"It shall be the constant aim and endeavour of the Party to secure full satisfaction of the National Demand as set out in the resolution adopted by the Assembly on the 18th February 1924, and so long as no adequate response is made by the Government to the said resolution, the Party shall continue to resort to a policy of obstruction in such form and manner as it may determine from time to time with or without the consent and co-operation of the other parties as circumstances may require."*

It will be observed that the policy of "uniform continuous and consistent obstruction" having been found impossible in the circumstances, "a policy of obstruction in such form and manner as the Party may determine from time to time," was recommended for adoption. The particular steps to be taken in the Assembly, including important constructive work, were then set out (vide Rules 7, 8, and 15 to 19 of the Rules for the Assembly). These proposals were sanctioned at a general meeting of the Party held at Calcutta on the 16th and 17th August 1924 and again at another general meeting held at Belgaum on the 27th December 1924, and a revised constitution and programme of the Party were issued, the material portion of which is reproduced in the Delhi Resolution of the A. I. C. C. quoted above.

7. Much uninformed and at times malicious criticism has been directed against the developments mentioned above, but it will be evident to all fair and impartial minds that they represent the natural evolution of a living political force as, in its onward progress, it encounters new situations and grapples with new difficulties. While on the one hand it has kept the goal and the supreme sacrifice it demands steadfastly in view, it has on the other hand shaped its course on practical lines to suit the ever-changing conditions of political life. It is however unnecessary to go into this point in greater detail as the Congress has adopted as its starting point the rules of the Swaraj Party as they stand to-day and reserved to itself the right to modify them "as may be found necessary from time to time." For the same reason it is unnecessary to encumber this manifesto with a detailed account of the work of the Swaraj Party in the Assembly and the Provincial Councils during the last three years. Some of the more important and characteristic features of that work in the Assembly are set out in the annexure and it may be stated with confidence that the Swaraj Party has achieved phenomenal

success under very difficult circumstances. Above all, it has thoroughly unmasked the bureaucratic Government and its allies and fully exposed their pretensions.

### A Policy of Self-reliance and Resistance to Evil.

8. The people of India and the constituencies of the several legislatures must have clearly realised by now that neither in the Central nor in the Provincial Governments have the elected representatives of the people any real power or responsibility which can be effectively used for the establishment of Swaraj or for radical reforms in the administration of the country. The Montagu-Chelmsford Reforms stand condemned after two periods of Council work as a costly and futile experiment and a serious impediment to Swaraj. The Indian National Congress cannot therefore acquiesce in these Reforms to the extent of "working them the all they are worth" which can only mean the subordination of the National Demand for full responsible Government to a few temporary advantages of doubtful value which are fraught with possibilities of a general set back in the political development of the country. It is impossible to understand how a party which allows its members to accept office under the Government and thus become a part and parcel of the Government itself, can be trusted to act on the principles of "self-reliance" and "resistance to every activity ; governmental or other, that may impede the Nation's progress towards Swaraj." It is equally impossible to conceive that such a party really believes in Civil Disobedience or to expect that it will ever work for it. While the Cawnpore Congress gave the A. I. C. C. a more or less free hand in laying down the general lines on which the next general elections were to be run, it expressly provided that "the policy of non-acceptance of offices in the gift of the Government shall continue to be followed until, in the opinion of the Congress, a satisfactory response to the terms of the settlement aforesaid is made by the Government." This policy must therefore be taken to be the bed-rock on which all Congress activities in the Legislatures must be based.

9. In the light of what has been stated above, the most striking features of the Congress programme, where it differs fundamentally from that of the other parties who are setting up their own candidates, may be stated as follows :—

(a) The general attitude of Congressmen who will enter the Legislatures, will be one of "self-reliance" and "resistance" as defined above, in contra-distinction to a general attitude of acquiescence and co-operation that will be adopted by the other parties.

(b) In particular, Congressmen will, unless otherwise directed by the Working Committee, refuse supplies and throw out budgets until the Legislature is given adequate control of the latter ; while the other parties have a constitutional dread of refusing supplies and will be content to take such part in the farce of budget discussion as the Government is pleased to allot to them.

(c) In the Provinces, Congressmen will oppose to the best of their ability, the present mischievous system of dyarchy and resolutely refuse to accept office until a response to the National Demand acceptable to the Congress is made by the Government ; while the other parties will support dyarchy as it is, and accept office without any such response if only their

susceptibilities (more apparent than real) are met in some way or other by the Government.

A National programme inside and outside the Legislatures.

10. The other matters with which Congressmen will concern themselves are sufficiently clearly stated in the resolution of the A. I. C. C. already quoted. It will be observed that Articles I to IV refer specifically to work in the Legislatures and Articles V to work outside them but the two are so inter-related that if properly carried out they are bound to implement and supplement each other. Together they cover a wide field of useful activities embracing every department of national life, social, economical, industrial and commercial—including the adjustment of relations between landlords and tenants, capitalists and workmen. In the work of promoting inter-communal unity, removal of untouchability, popularising the spinning wheel and Khaddar and achieving total prohibition, the return of the Swarajya Party to the Central and Provincial Legislatures will powerfully strengthen the hands of the Congress which is pledged to these great items of social and economic reform.

Hindu Muslim Unity.

11. There is, however, one important matter not included in the resolution of the A. I. C. C. which requires special mention namely, the attitude of the Congress Party, on communal questions. It may generally be stated that the Congress party in the Legislatures, as indeed outside them, is pledged to stand for Nationalism and for equal rights and opportunities, for all communities, classes and castes, but will set its face against communal hatred, strife and corruption. The question of legislation affecting communal matters was discussed by the Working Committee of the Congress at its Calcutta meeting held on the 4th July 1926 and the following resolution was adopted :—

"The Committee is of opinion that having regard to the best interests of the country, no bill, motion or amendment relating to any inter-communal matter should be moved or discussed if a majority of three-fourths of the members of any community affected thereby in the legislature, are opposed to the introduction or discussion of such a bill, motion or amendment and that the Congress Party in the legislature concerned should take such steps as may be possible to give effect to this resolution in each case."

This resolution was a mere direction to the Congress Party to try their best to prevent communal questions being discussed in the Councils. But it gave rise to various misapprehensions and misrepresentations and was twice reconsidered by the Working Committee, first in Simla on the 24th August and again in Delhi on the 11th September. On the latter date the Committee passed the following resolution :—

"In elucidation of its resolution No. 8 passed in Calcutta on the 4th July 1926, the Working Committee resolves :—

"That if their efforts as contemplated in the said resolution are not successful and a three-fourths majority of the members of any community of the Congress Party affected by such an inter-communal question consider that it should not be made a party question, then the Congress Party in the Legislature shall refrain from making it a party question."

The meaning is clear. No communal matter can be made a party question if a 3/4ths majority of either community in the Congress Party of the Legislature are opposed to that course. In other words, if a 3/4ths majority of any community desire to reserve to themselves full liberty of

speech and vote on any communal question affecting them, all the members of the Party belonging to both communities in the legislature concerned shall have the same freedom. It was presumed that a 3/4ths majority of the members of any community in the Party may safely be taken as reflecting the general opinion of that community in the country and if they can bring round a 3/4ths majority of the other community to their point of view the agreement thus arrived at should be respected by the whole Party. It may be observed however that this rule awaits the confirmation of the A.I.C.C. and the Congress, but it may be taken as a clear indication that the Congress Executive is fully alive to the difficulties of the communal situation and will do all that lies in its power not only to ease that situation but to secure to the Congress Party in the various legislatures an ample measure of freedom in dealing with communal questions.

#### The Walk-out—what it Really Signified.

12. The withdrawal of Swarajist members from the legislatures in obedience to the mandate of the Congress has been the subject of considerable misrepresentation in the Press and on the platform. It is asserted that the Swarajists deserted their posts of duty and cannot be relied upon to keep their seats in the new legislatures when the interests of the country demand it. This is a gross libel on the Congress which directed their withdrawal from the last Assembly and the Councils in furtherance of much higher interests than any that could possibly require the presence of Swarajists in the Legislatures. The following extract from the speech made by the Leader of the Party in the Assembly on the day of the withdrawal, puts the whole position in a nutshell. After a formidable indictment of the Government for its many sins of commission and omission and a reference to the inability of the Party to deal with it in a suitable way by reason of its being in a minority, he concluded his speech with these words:—

"We waited till a clear answer to our demand was forthcoming. It has now come clear and crisp from my Honourable friend the Home Member. There is no use for us here. We go out into the country to seek the suffrage of the electorates once more. We do not give up the fight. We fully agree in the sentiment contained in the statement to which I have just referred. They are quite apposite but not in the sense in which Lord Birkenhead used them. They run thus:—

"He either fears his fate too much  
Or his deserts are small;  
Who dares not put it to the touch  
To win or lose it all."

We have no misgivings either about our fate or our deserts, and we go forth into the country to put it to the touch to win or to lose it all. . . We hope and trust that the nation will give a suitable reply to the truculent rejection of our demands and will send us again in larger numbers with a stronger mandate, and, God willing, with the sanction for fulfilling its aspirations and enforcing its commands."

After this it is for the Nation to judge who are more likely to stand by it in the coming struggle—those who manfully came out with the resolute determination to enforce its commands, or those who stayed behind amidst official taunts and jeers and are now seeking to co-operate with those very officials and to serve under them.

#### The Congress and the new Anti-Congress Parties.

13. It is hardly necessary to emphasise the obvious fact that the parties recently started under the names of "The Responsivist Co-operation

Party" and "The Independent Congress Party" are not in any way connected with the Congress. There is little in common between these parties and the Congress; they entirely differ from the Congress on basic principles; and there is an irreconcilable conflict between their programmes and that of the Congress. They have come into existence with the avowed object of opposing the Congress candidates and defeating the Congress programme. Pandit Madan Mohan Malaviya has declared open war against the Swaraj Party—which means the Congress itself, as the Party is now indistinguishable from the Congress. The constituencies will have to choose between their great National Organisation which, after weathering many a storm, represents the entire Indian Nation and new parties started by a few dissenters who have chosen to take up cudgels against the parent institution itself. They pay an unconscious tribute to the Swaraj Party by claiming to follow in its footsteps, forgetting that the Swaraj Party never for a moment renounced its allegiance to the Congress and contested the last elections only after the Congress had granted them express permission to do so and forbidden all opposition to their election campaign. It is hoped that the country will not be deceived by the thin disguise but will rally round the National Flag held aloft by the Congress.

14. Parties which have no organisation worth the name and consist mainly of persons who are setting themselves up for election on a retrograde programme, can exert no influence on the general political situation in the country. There can be no comparison between them and the Swaraj Party, which began as a highly organised body within the Congress with a bold fighting programme. The wisdom of the great experiment inaugurated by the Swaraj Party has been demonstrated by the resolutions of the Cawnpore Congress directing the continuance of that experiment. The consequent absorption of the Swaraj Party in the Congress has ensured the emergence of far more favourable conditions than those that prevailed in the last Councils. It constitutes a further advance in the direction of organising more completely the will of the nation to achieve full responsible Government and of bringing the Legislatures under the steady control of the great National Organization. The consequences which will follow are obvious. In the first place, there will be greater unification in the country, and work in the Councils and work outside them will be inter-related in a much more intimate and dynamic manner than was found possible during the last three years. In the second place, the Indian National Congress will be considerably strengthened and become even more of a real power in the land than it is to-day. In the third place, the concurrent will of the elected sections of the Legislatures and of the Congress will enable appropriate sanctions to be devised for the purpose of enforcing the demands made by Congressmen in the Legislatures in obedience to the mandates of the Congress. Parties which fight shy of these sanctions and pin their faith on co-operation with the Government cannot possibly serve the higher interests of the country.

#### Conclusion.

The Indian National Congress therefore appeals to the people and voters of India to realise that they can enforce the National Demand and vindicate national honour only by supporting and returning exclusively the Congress candidates at the coming general elections to the Indian Legislative Assembly and the several Provincial Legislative Councils.

## Report of the Congress Work in 1926.

The following is the annual report of the Congress for the year 1926, presented by the General Secretaries to the All-India Congress Committee. The report was submitted to the Indian National Congress held at Gauhati in December 1926 :—

"In compliance with Art. XXIII we beg to submit the report of the work of the All-India Congress Committee during the year and a full account of the funds which have come into our hands. Since the last Congress there have been three meetings of the All-India Congress Committee ; at the first of these meetings held at Cawnpore on the 29th December last the All-India Congress Committee elected 34 representatives of all the provinces except Ajmer, who were to constitute along with the members of the Working Committee of the Congress a Special Committee in terms of resolution VII of the Cawnpore Congress. The representative of Ajmer-Merwara could not be elected by the All-India Congress Committee owing to the peculiar circumstances of that province. The President was empowered to nominate the representative later on, but even this it was not possible to do. At this meeting of the All-India Congress Committee a very important resolution was adopted whereby the Working Committee was asked to appoint a sub-committee for the purpose of collecting and distributing funds for the relief of political sufferers, prisoners, exiles and their families. The Working Committee which met in Delhi on the 5th March 1926, accordingly appointed the Political Sufferers' Sub-Committee. Financial help has been given to two political sufferers, namely, Andhraratna Gopalakrishnayya (Andhra) and Swami Kumaranand (Ajmer) out of the funds earmarked for the purpose. An allowance at the rate of Rs. 20 per mensem was also sanctioned out of the Punjab Relief Fund for the family of Pandit Jagat Ram of the Panjab (in jail) for a period of one year. In addition to these, relief was also provided out of the Punjab Relief Fund to the family of Bhai Bhagwan Singh and to Swami Gajanand Azad of the Panjab. The Treasurer has since been asked to debit these amounts to the Political Sufferers' Fund.

"2. The second meeting of the All-India Congress Committee during the year under report was held at Delhi on the 6th and 7th March, 1926. At this meeting the Committee framed the programme of work to be carried out by the Swarajya Party and the Congress organizations in co-operation with each other throughout the country in accordance with resolution VII of the Cawnpore Congress which for the first time since the inauguration of the Reforms, permitted the employment of the whole of the machinery and general funds of the Congress for the purpose of taking up and carrying on all necessary political work and which required that the Congress do run candidates for the then forthcoming general elections to the legislatures of the country. The Committee issued detailed instructions to be followed by Congress Committees and Congressmen in regard to these general elections and also settled the form of election pledge to be signed by every Congress candidate.

"3. The most important decision taken by the Committee at this meeting was its adoption of the Special Committee's opinion that the

Government had failed to accede to the National Demand for reforms made by the Assembly, and its acceptance of the Special Committee's recommendation that the "Swarajya Party in the Central and Provincial legislatures do now take the steps laid down in Resolution VII (b) (iii) 1 and 2 passed by the Congress at its Cawnpore session.

#### The Walk-out.

"4. The All-India Congress Committee also called upon the Swarajist members in the Assembly not to wait till the Finance Bill came up for consideration, but to leave their seats after raising the constitutional issue once again on the 8th March when the first demand for grants would be moved. The Swarajist members of the Council of State, the Legislative Assembly and several local Councils in session at the time accordingly made that famous demonstration on the 8th March which has since come to be known as the "Walk-out." The All-India Congress Committee, however, made an exception in the case of the Swarajya Party in the C. P. Council and called upon them to attend the Council to throw out the provincial budget including the salaries of Ministers, in pursuance of Resolution VII (b) (iii) 2. Much unfair criticism was indulged in in some quarters about the action of Swarajist members of the Assembly and a few local councils in going back for some special or unforeseen purposes; but these critics apparently ignore the specific instructions contained in the proviso under section 2 of resolution VII (b) (iii) adopted by the Congress at Cawnpore which clearly lays down "that it shall be open to the special committee to allow the Swarajist members of any legislature to attend the said legislature when such attendance is in its opinion essential for some special or unforeseen purpose."

"5. The All-India Congress Committee also allotted at Delhi a sum of Rs. 25,000 for the initial expenses of the necessary propaganda and other work in connection with the general elections. An account of the expenditure incurred out of this allotment duly audited up to the 20th September is being enclosed herewith.

"6. A resolution was adopted by the All-India Congress Committee at this meeting asking the Provincial Congress Committees to organise branches of the Hindustani Seva Dal and to appoint whole-time permanent workers for carrying on the work outlined by the Dal in their respective areas. A grant of Rs. 2,000 was also sanctioned to the Dal by the Working Committee at Delhi.

"7. The report of the Bodh Gaya Temple Enquiry Committee was submitted to the All-India Congress Committee at this meeting and the recommendations contained in the report were accepted by the latter Committee.

"8. The third and last meeting of the All-India Congress Committee was called at Ahmedabad to consider what was known as the Sabarmati Pact. But the question of the pact did not actually come before the All-India Congress Committee as it had fallen through in the Working Committee on account of differences of opinion among the signatories about the interpretation of the terms of the pact.

#### Hindu-Muslim Relations.

"9. The Hindu-Muslim relations unfortunately continued during the year to be far from cordial, although communal outbreaks were not so widespread as in 1924. In Bengal, however, very serious Hindu-Muslim riots occurred in some places, particularly in Calcutta where during several weeks



it seemed as though ordered government was at an end and the authorities responsible for law and order miserably failed to maintain peace. The All-India and the Working Committee have made earnest attempts to foster feelings of friendship and goodwill between the two communities. At the instance of Maulana Abul Kalam Azad, the Working Committee which met in Calcutta on the 4th July, 1926 resolved on the establishment of a permanent publicity bureau with a view to educating the masses of India out of communal conflicts and differences and developing a sound national life, and authorised Maulana Abul Kalam Azad, Mrs. Sarojini Naidu and Pandit Motilal Nehru to take necessary steps in this behalf and organise the bureau. The President Mrs. Sarojini Naidu, visited Pabna, another place in Bengal where serious Hindu-Moslem outbreaks occurred in July, and Rs. 1,000 were voted for the relief of sufferers there.

#### Selection of Candidates.

"10. One of the principal matters to which the Working Committee and the office-bearers had to devote a good deal of attention and effort during the year was the running of candidates by and in the name of the Congress in the general elections to the several legislatures, that have just ended in all the provinces. The work involved, besides frequent meetings of the Working Committee, a good deal of discussion and decision by correspondence and long and frequent tours on the part of the executive. Although the amount placed at the disposal of the Working Committee for publicity and propaganda was small, the political and educative work that has been carried out by the central and provincial Congress organisations throughout the country and among the masses has been valuable and fruitful. At the date of writing this report, the full results of the elections from all the provinces are not available, and it is too soon to sum up the general position of the Congress parties in the several provinces. But it may be safely stated that whatever might be the relative strength of frankly communal and anti-Congress groups, whatever might be the dividing line between those who stood by the Congress programme and those who, though belonging to the Congress, opposed the success of that programme and its exponents in the elections, the country has unmistakably accepted the Congress as the one and only institution by and through which all Indians, to whatever community they may belong, can achieve Swaraj. In four provinces particularly, Congressmen have been returned by the electorates in large numbers, namely, Assam, Behar, Bengal and Madras.

"11. In this connection it is specially worthy of note that both the Bengal detainees in the Mandalay jail set up by the Congress, Syt. Subhas Chandra Bose and Syt. Satyendra Chandra Mitra, have been returned at the recent general elections. Syt. Subhas Chandra Bose has been elected to the Bengal Legislative Council by an overwhelming majority and Syt. Satyendra Chandra Mitra to the Legislative Assembly unopposed. It would be difficult to find a more convincing condemnation of the obstinate and oppressive policy of the bureaucracy in respect of the detainees.

#### Enrolment of Members.

"12. It is gratifying to find that in spite of their preoccupation with the Congress election campaign the Provincial Committees have been able to carry on vigorously general Congress work including the enlistment of Congress members. Information has not been received from all the pro-

vinces at the time of writing, but so far as the reports received go, it would appear that in Bombay 4,933 members are on the Congress rolls besides 103 on the All India Spinners' Association, out of whom 33 have enlisted themselves also as Congress members. In Carnatak the membership figure has risen to 14,278. In C. P. Hindustani 3,676 Congress members have been registered this year. In Gujarat 651 persons have been enrolled, of whom 338 have come in under the yarn franchise.

"13. The All India Spinners' Association has on its rolls 3,472 members of class A, 942 of B and 48 associates. It is specially gratifying to note that besides these, some juveniles have been subscribing yarn. In all, 2,708 lbs. of yarn are reported to have been received by the All India Spinners' Association.

#### Finance.

"14. The enclosed statement of T. S. F. accounts for the year show that the opening balance with the Treasurer amounted on the 1st December, 1925 to Rs. 1,74,606-1-11. His closing balance on the 30th September, 1926 was Rs. 1,44,797-13-10 including Rs. 39,729-3-0 earmarked funds. It will be evident from these figures that the funds at the disposal of the All India Congress Committee are rapidly diminishing. It is urged that prompt and effective steps should be taken to place the central organisation of the Congress in a permanently sound financial position. The fund needed for an investment that will leave the All India Congress Secretariat free from anxiety as to its normal existence and functions, is by no means large and the attention of the All India Congress Committee is invited to this vital matter in the hope that proper steps will have been taken in this behalf before the Gauhati Congress disperses. The delegates' fee must at all events be raised to the old figure of Rs. 10, to enable the All India Congress Committee to have the usual income from its share of the delegation fees.

"15. The realizations made by the All India Congress Committee during the year did not amount to much; neither has the position of out standings as printed last year improved, most of them being bad debts. The assets too remain practically the same as last year's except for the addition of a few articles of furniture which had to be purchased in Madras in view of the transfer of the office from Allahabad.

"16. The Secretaries desire to record in this report their appreciation of the devoted and loyal work of the Under-Secretary, Mr. Raja Rao and the staff during a busy and trying year. Mr. Raghupati Sahai, the other Under-Secretary, was lent to the United Provinces Congress Committee for important work in connection with the general elections in that province.

M. A. Ansari.

K. Santanam.

A. Rangaewami Iyengar.

[Mr. A. Rangaewami Iyengar, has been the Working Secretary for the year and much of the success of the Congress in the general elections has been due to his unremitting and devoted work.

M. A. Ansari.

K. Santanam.]

## Report of the All-India Spinners' Association.

"A consideration of the present state of Khadi work and a comparison with what it was in 1921 or 1922 will convince anyone that the remark that is some time heard that Khadi has been steadily on the wane since the years 1921 and 1922, is nothing but a superficial observation, based upon the fact that there is now less of that spectacular show of white caps than we had in 1921. Not only is there a greater quantity of Khadi produced but there is also a wider field of operations," says the annual report of the All-India Spinners' Association which was organised in September 1925, as an integral part of the Congress under Mahatma Gandhi's presidency.

By the end of December the Association submitted its report to the Congress for 1925-26. The report is a most business-like document and gives a clear exposition of its work with the figures which speak for themselves. It is claimed by the report that the progress has been so marked and encouraging that while in 1922-23, provinces like Bengal and Gujerat depended for Khadi to a large extent on Andhra, Tamil Nadu and the Punjab, to-day Bengal has a production of over four and half lakhs, Gujerat of nearly one lakh, while the provinces which were supplying Khadi to these provinces have not only not decreased their production but in some cases have even made considerable progress.

### Activities of Association.

Before summing up the future outlook in an interesting note, the report chronicles in a comprehensive and yet very concise manner the various activities of the Spinners' Association. The Association, it recalls, was started for centralising Khadi work in the country under the guidance of an expert organisation "un-affected and uncontrolled by politics." There are now over six hundred workers in the central office and several subordinate and affiliated organisations. Besides a scheme for securing trained and expert workers has been framed.

As regards the financial position the most important source of income was Rs. 2,23,600 from Deshbandhu Memorial Fund which the trustees of the fund by a resolution transferred to the Spinners' Association. The second source was a grant of Rs. 50,000 by Seth Jamnalal Bajaj for Khadi work in Rajputana. Donations and Association's associate fees brought in additional 2,778-9-0.

Resources of the Association were not found sufficient to meet the growing need of capital for work. Details are given of disbursements, investments in work in various provinces, the largest disbursement being made to Bihar, Calcutta and Tamil Nadu, namely half lakh each.

### Progress of Work.

Reviewing the progress of work the report observes that Bengal and Behar nearly doubled its production and sales to Rs. 453,378 and 224,690 respectively. Tamil Nadu's efforts were mainly to increase the consumption of its goods. U. P. showed considerable improvement. Punjab largely added to its own production, though sales did not keep pace with the progress in production. Ajmere has been organised and production work been recently started in Assam. Karnatak was mainly engaged systematising its work, so also Andhra. Gujerat working its own funds very largely increased

its production, its biggest centre being Amreli. Utkal shows notable improvement and so also Maharashtra. The total figures for all provinces show production having gone up compared with the last year from Rs. 1,903,034 to Rs. 2,376,670. There was thus a general progress, and in money value there was an increase of twenty-five percent over the last year while if the general fall of seven to eight percent in Khadi prices were calculated, an increase by yardage was nearly thirty two percent. The report then shows how efforts to increase the local sales have succeeded through the special propaganda, publicity, exhibition work and by hawking and bounty schemes. Mr. Bharucha's services in this connection with the disposal of stocks are particularly mentioned.

More instructive than the figures of production and sale, says the report, is the information relating to the human side of the work. It has been ascertained by Mahatma Gandhi that 110 carders, 42,959 spinners and 3,407 weavers are supported by the Khadi production centres in the country.

Wide ramifications of the Khadi activity are also seen from the fact that there are now over 150 production centres, spread all over the country and on modest computations, the Khadi organisations must be reaching 1,500 villages. The report mentions with particular satisfaction that an improvement in the quality of Khadi is such that while Khadi produced in 1921 and even in 1922 "could be used only by the Khadi enthusiasts, to-day Khadi can supply patterns and varieties that will suit the most fastidious taste. The Khadi organisation everywhere are trying to study the needs and satisfy the tastes of their markets."

Khadi Pratisthan in Bengal and Tamil Nadu Khadi depots were doing particularly good work in this direction. But while remarkable progress has been recorded in both quality and quantity to Khadi produce since the movement began, the price of Khadi had fallen considerably, due partly to a fall in the price of cotton and some other factors in the cost of production.

#### Improvement of Yarn.

The report lays emphasis on the need for improvement in the quality of yarn. Whatever be their superiority in days gone by, handspun yarn to-day did not compare favourably with the mill yarn neither as regards the strength or uniformity. Experiment at Sabarmati Ashram has shown that yarn of mill quality can be produced with properly carded cotton and careful spinning and with greater attention the provinces can show appreciable results.

As regards the membership "A" class, consisting of those who habitually wear Khaddar and supply every month a thousand yards of self-spun yarn, increased by 3,472, while "B" class of those who habitually wear Khaddar and supply thousand yards of yarn (not necessarily self-spun) increased by 942. Besides these "C" class of juvenile members was created of those who would supply self-spun thousand yards yarn and 185 members were enrolled.

The report next comments on the idea of voluntary spinning and individual self-sufficiency in cloth. Among the instances quoted is that of Bijolia, a centre in uparmal area in Rajasthan. This area has a population of 1100 and with 10 yards annual requirements per head would require 110000 yards. As a result of intensive propaganda for self-spinning, even men had taken to spinning. Now 65 looms were working in the area full time and 780000 yards of cloth were produced. If 30 more looms could be added the

area would become wholly self-supporting in its cloth requirements. The achievement was notable, all the more as there was no inducement by way of bounty or otherwise.

Then the activities of the technical department are enumerated, students are trained in carding, spinning, dyeing etc; exhibitions are organized and research and improvement in implements undertaken and invention of simple mechanical contrivances encouraged in respect of gins, carding, bows, taklis and spinning wheels.

Dr. H. Mann, director of agriculture, the report acknowledges, helped them in getting samples of cotton from the Government farms. Cloth was examined by the technical section to determine the genuineness and in all, 115 samples of doubtful "Khadi" were received, whereof 53 were found to be spurious.

The report draws pointed attention to the increasing interest, taken by the local bodies. Fourteen municipalities, nine district boards and four taluk boards are named as having introduced spinning in schools under their control in various parts of the country, while seven Municipalities, namely Bangalore, Ahmedabad, Benares and Bombay, are named as having resolved to encourage "Khadi" by purchasing for the Municipal purposes and uniforms of employees as also seven other district boards in different parts of the country. Eight municipalities are stated to have reduced or abolished octroi on "Khadi."

#### Future Outlook.

Summing up their work and future outlook, the report remarks, that the history of the five years of "Khadi" movement since the inception gives sufficient ground for encouragement and hope. Importance of handspinning as a means of adding to the scanty income of agriculturists in the villages, is being more and more recognised in all quarters. The interest taken by the local bodies shows signs of growing recognition of "Khadi." This growing interest is not confined only to the British India. Indian States have begun to interest themselves in the matter. The Cochin State in South India, it is stated, has introduced spinning in about 60 of their schools with marked success. Efforts are now being made by the Mysore Government to reinstate Charka in the homes of the poor. All this constitutes another welcome sign of the ground that "Khadi" movement is gaining in public opinion. But the industry is still on its early stages and if Charka is in any measurable future to take its proper place in the economy of India's national life, it is necessary that the movement should receive the widest and strongest support of the country.

Khadi work needs all the capital that the country can place at its disposal. The Association's financial position has got to be strengthened, if it is to extend to any appreciable extent its activities in the coming year. There is need for an effective realization by the people of their duty, both from the patriotic and humanitarian point of view to consume the "Kadhi" goods as fast as they are produced. But more important than all this is the duty of the educated classes to create and foster by their example the atmosphere of spinning and "Khadi" in every part of the country. It is primarily with this object the membership of the association is devised. To a large extent, fulfilment of these conditions depends on the patriotism and devotion to the cause of workers, already in the field. If these conditions are realised to any appreciable degree, achievement of the goal will not be far distant.

# India in Home Polity

## A Resume of Main Events.

In domestic politics, the year 1926 was marked by the rapid strengthening of the reactionary forces which, in the latter period of Lord Reading's regime, had begun to make themselves felt. The Indian National Congress saw which way events were tending and decided at its session at Cawnpore in December 1925, to give open battle to Lord Reading's policy, nominally of masterly inactivity, but really of the slow suffocation of whatever political and other liberties the country possessed. It passed a resolution that if the Government did not make a response to the National demand, satisfactory in the opinion of the Working Committee, Congressmen in the legislatures should walk out of those bodies. When early in the year the Assembly met, Sir Alexander Muddiman clearly hinted that the Government were not prepared to treat the Demand seriously. The result was that the Swarajists were obliged to walk out of the legislatures, reserving to themselves the right to attend them as occasion arose for it in the opinion of the party.

The walk-out made a deep impression on the country. It showed that the word of the Congress was the law with the vast majority of the people. It, however, led to one or two immediate results. In the first place, it made the position of the Government supreme in the legislatures and this position they exploited to the fullest extent. The record of the Assembly after the Swarajists walked out of them proves this fact. Perhaps the only popular achievement which the Assembly was able to effect after the walk-out was the rejection of the Lee Commission's concessions to the Railway officials. The Finance Bill was passed "in silence"; and whenever the Independents sought to improve its provisions, they sustained very heavy defeats. A number of reactionary legislative measures were put through without the least compunction. The Contempt of Courts Bill, a measure fraught with serious consequences to the Press of the country; the Criminal Procedure Code (Section 109 Amendment) Bill calculated to enable the magistracy to award sentences of rigorous imprisonment for alleged seditious utterances, a tyrannical weapon in the hands of the Executive; the Criminal Procedure Code Amendment Bill empowering the executive to confiscate leaflets which, in its opinion, were calculated to inflame communal feelings—these and similar unpopular measures were passed in the teeth of the futile opposition of the Independents.

At the same time, the Executive Government showed a contempt for public opinion rarely known during the past some years. India was made a party to the Locarno Pact without her consent, entailing indeterminate expenditure; all the Assembly's efforts to ascertain the extent of her commitments were brushed aside on the ground that it was not competent to discuss such subjects. The Government refused to Indianise the Railway Board and the higher grades of the Railway services. They ignored the recommendations of the Mercantile Marine Committee. The proposals and the promises to Indianise the Army and to extend the territorial system

were held up. The freedom of the provinces was encroached upon by administrative instructions, by the misuse of the previous sanction rules, by the right to scrutiny the financial effects of provincial schemes, and by the assertion of the claim to impose higher administrative heads on the provinces in the guise of protecting the rights of the superior services and by the framing of rules under the Government of India Act. Some of these rules made serious inroads into the rights of the provincial and central legislatures, such rights as those pertaining to the right of discussion. But the Government did not shrink from framing them. Above all, the authorities openly proclaimed in as defiant a manner as possible that they were not going to concede the demands of the public. Lord Birkenhead even went to the length of stating that unless India showed her competence to the satisfaction, not of the British Parliament only, but of the Empire statesmen whom he proposed to nominate to the Statutory Commission, no extension of reforms was to be made. The offer of a toy "Navy" and one or two Commissions of Enquiry such as the Agricultural Commission was no compensation for the reactionary acts.

#### Political Factions.

One of the results of the walk-out has been that certain Congressmen who had become tired of the obstructionist policy and hopeful of accomplishing more tangible results seceded from the ranks of the Swarajists. They held the view that in as much as it had become impossible, except in one or two provinces and that for temporary periods, to prevent the formation of Ministries, the Congress should revise its policy and adopt "responsive co-operation," by which it was meant that Congressmen should boldly accept office and work the Reforms—to what end it was not always made clear. Some said it was to destroy diarchy from within, others held it was to work it for what it was worth. Their experience in the Assembly after the Swarajist walk-out must have shown them that, without unity, it was impossible to achieve anything, but they were far too much obsessed with the idea of responsive co-operation that they were determined to try it, be the results what they may. The decision of Mahatma Gandhi to keep himself aloof from the politics of the country throughout the year was felt as unfortunate at no time more deeply than when this tendency towards drift towards fissiparous politics asserted itself. The Mahatma was appealed to and, with his good offices, an agreement was arrived at between the Swarajists and the Responsive Co-operators—the term by which the seceders from the Swarajist ranks became known—by which acceptance of offices was to be decided on if the legislators of the province felt that the local Government of the province concerned had made a satisfactory response to popular feeling and if their decision was ratified by two representatives of the All-India Congress Committee. This Pact—the Sabarmati Pact—was, however, thrown out by the All-India Congress Committee and both these wings of the Swarajists decided to fight the approaching general elections on their own separate tickets.

#### The Rise of Sectarianism.

Nothing has been more unfortunate in connection with this cleavage among Congressmen than one of its results, namely, the appeal to communal sentiment. The Responsivists realised that, without some appeal to the masses they had no chance against the Swarajists. Some of them also were

men who felt that the Congress had been neglecting Hindu interests. The formation of communal Ministries in more provinces than one and the efforts in working the reforms through Muslim Ministries supported by the official and the nominated block, and the activities of these Ministries which Hindus felt were not dealing fairly and squarely with Hindu interests—all these facts had roused the fears of the Hindus, especially in the Punjab, in Bengal, and in Bombay. The appeal was made by the Responsivists to the Hindu sentiment and that appeal not a little succeeded in the Punjab and the United Provinces. There was acute Hindu discontent regarding the way in which the executive handled the problem of processions and music before mosques. It was complained that the police and the magistracy yielded to Muslim clamour and set at naught Hindu rights proclaimed in courts by resort to the use of the preventive sections of the Criminal Procedure Code. This deepening of communal feeling led to much bloodshed. Heavy rioting, prolonged for days, broke out in Calcutta and there were minor outbreaks in the United Provinces. The depression in trade and acute unemployment prevalent everywhere also contributed to communal friction. The cruel assassination of Swami Shraddhananda by a Mahomedan fanatic on the eve of the Gauhati Congress was the culmination of this communal ill-will.

#### General Elections.

No wonder in the general elections towards the end of the year communal sympathies and antipathies were fully exploited. The Brahmin-non-Brahmin problem in South India was different from the Hindu-Muslim problem elsewhere. The vitality of the non-Brahmin movement at its inception lay in the fact that it began as a liberalising, democratic movement, calculated to secure equal opportunities for all. Its degeneration into an anti-Brahmin movement, the exploitation of it by a coterie of leaders to the benefit of their followers, and of the disrepute into which it has fallen in consequence are facts too well-known to need reiteration. The dangers of narrow communalism are now realised even by the bureaucracy under whose protecting wings it developed, and by the electorate at large; and, despite the refusal of the leaders to give it a satisfactory direction, it is to be hoped that in course of time they will be driven to the necessity of recognising the folly of their anti-Brahmin, narrow programme. In the other provinces, communalism has asserted itself in varying degrees. In the United Provinces and the Punjab and in Delhi, its success has been the greatest; in the Central Provinces, it has had a marked effect; while in Bengal, though its effect has not been so striking, it has yet left its impress.

In spite of these facts, the Congress has been able to score a considerable victory at the elections. In Bengal and in Madras, the Congress has triumphed beyond expectation and holds as strong a position in the legislatures as non-officials could hope to do under a diarchic constitution. In other provinces, Congressmen constitute the largest single party. The country has thus shown that its sympathies are entirely with the Congress. The success of the khaddar programme which the All-India Spinners' Association has achieved also shows that the nation is not unmindful of the wishes of the Congress, so that in the coming year it may be expected to give even greater support to the Congress than it has done in the past. (Vide The Hindu.)



## The Bengal Responsivist Party.

### Nucleus Formed.

On the 23rd June a meeting was held at 237 Lower Circular Road, Calcutta to organise a party within the Congress which would work the Responsive Co-operation programme. Mr. B. Chakravarti presided and Pandit Madan Mohan Malaviya, the All-India leader of this party, was present on the occasion and impressed upon those present the need of having the Responsive Co-operation Party within the Congress in Bengal. It was resolved, that the gentlemen present form an organisation to be called the Responsive Co-operation Party in Bengal upon enlisting as members of Congress and upon accepting the programme of Responsive Co-operation.

### Pt. Malaviya's Address.

On the 29th June Pandit Madan Mohan Malaviya delivered a speech on Responsive Co-operation before a crowded meeting at the University Hall lasting for about 2 hours and discussed at great length the present situation, both political and economic, with particular reference to the state of serious unemployment in Bengal. The meeting was very orderly, and patient hearing was accorded. Mr. I. B. Sen, Barrister-at-Law presided.

### History of the Congress.

Pandit Malaviya said that he was going to speak on the subject on which opinion was divided, but they should try to look facts and consider the position as they were serving the motherland. He condemned those who cast a fling at each other. He next traced the history of the Indian National Congress since 1885. It was established, he said, with the object of securing responsible Government in India which meant, the Government of the people, by the people and for the people in the real sense of the term. In the second year, he said, they prepared a scheme and presented it to Parliament and a Bill was also introduced to that effect. In 1905 Mr. Gokhale presided over the Benares Congress and subsequently went to England on deputation and saw the Secretary of State. During that time he said, some of the officials wanted great trouble among Hindus and Mahomedans, as before that date no communal representation was ever advocated in the Congress. In 1908 when it was understood that some reforms were coming, some Mahomedan gentlemen went on a deputation to H. E. the Viceroy asking for this and that and that was how the communal representation was introduced. In 1909 the Government passed the Minto Morley Reforms and that was the second step in the direction of responsible Government. In this connection the Pandit referred in glorious terms to the ancient civilisation of India and said that even now many Native Princes were ruling over big territories. In 1924 the Congress passed a resolution urging that India should be placed on a footing of equality with self governing colonies. After the reforms were introduced, the Congress passed a resolution characterising it as inadequate, unsatisfactory and disappointing and since then disunion in the Congress began and that was subsisting even now.

### The Reforms.

He then made mention of the work of the Muddiman Committee and said that even the Ministers had condemned dyarchy as unworkable and there

was no divided opinion among Indians on that subject. The system of dyarchy had failed. This measure of responsible Government was obtained as a result of the agitation conducted by the Indian National Congress and the Muslim League. But he affirmed that the present situation was to be faced and stated that the reforms were still working. Parliament laid that they should be judges of the time. He regarded this as an insult to the Indians as they had four thousand years' civilisation behind them. The Congress held in Delhi declared in no uncertain terms, their fitness for responsible Government, but in the Amritsar Congress a compromise was arrived at to work the Reforms Act and Messrs. B. G. Tilak and C. R. Das were party to it. They had since then seen six years of the working of reforms were unsatisfactory. But, again, they were faced with another division, namely, some who were for working the Reforms and others who were for total obstruction. In the first term of the Council many people boycotted them, but subsequently Pandit Motilal and C. R. Das came to the conclusion that the policy of boycott was wrong and after the Gaya Congress, Mr. Das started the Swarajya party.

#### Swarajist Policy.

The speaker after tracing the career of the Swaraj Party said that except in the Central Provinces and Bengal their policy had achieved no result. On the contrary they were more and more divided now than before. At Faridpur Mr. Das offered terms of settlement and wanted a change of heart on the part of the bureaucracy. But he did not want full Swaraj to be established at once. Those terms were clear and in all his utterances he expressed and hoped that negotiations would begin and some settlement would be reached but the cruel hand of death removed him at the time when they required him most. Since then the Swaraj party has been deprived of their leader and at present it was more divided than before in almost all provinces. It did not possess the same strength as it had once during the previous election. He feared that at the next election, owing to disunion, the party would not be able to achieve the same result as it had done before. He particularly mentioned that he did not come to blame any party, but its policy had brought criticism from the public, particularly the policy of walk-out from the Council which was adopted by a resolution of the Cawnpore Congress. The speaker protested against that resolution then, but he was outvoted. He thought he did his duty though his amendment was rejected.

#### Walk Out.

After analysing the reasons which deterred Mr. Patel, from resigning the Presidentship of the Legislative Assembly and criticising Pandit Motilal's action regarding the resignation of membership of the Skeen Committee, Pandit Madan Mohan Malaviya criticised the Cawnpore resolution at great length, particularly the action of the Swaraj Party in Bengal, in connection with the Security Bill. He considered the "Walk-out" had caused much suffering to the country. He emphasised that the Government machinery was going on as before and said that Englishmen were never afraid of bombs as much as they were of public opinion.

#### The Pact.

Regarding the pact he said Mr. Das never thought it a sacrosanct document. He put it only as a suggestion to be considered by the Congress. Now the position was that even the Mahomedans disowned it.

## THE BENGAL RESPONSIVIST PARTY

### The Present Position.

\* Considering the present position he said, there were now about half a dozen parties. In his opinion what was required was to put aside all differences and work in a spirit of service for motherland. With that end in view they should sit together and devise means of settlement. He wanted a clear cut programme and policy, but the Swarajists had not yet put forward any new manifesto up till now about their policy in the new Council. He thought that the country was not yet prepared for nonpayment of taxes, but he wanted to prepare the country even ultimately for open war and he said that it was permissible to write to the Government and say that unless they gave us responsible Government they would declare open war but at present they were not in a position to do that.

In this connection he feelingly referred to the serious economic state of the country as a result of Government policy on exchange and gold reserve in England. The serious state of unemployment in Bengal had brought almost starvation to hundreds of men.

### Acceptance of Office.

After referring to the question of acceptance of Ministership on certain conditions by Mr. B. Chakravarti to which Deshbandhu Das gave his support, he appealed to them to follow the policy of Mr. Das namely co-operation when necessary and absolute downright obstruction when occasion demanded it. He asked them to work the reforms to its fullest extent.

### The Party's Manifesto.

On the 23rd July the Responsive Co-operation Party in Bengal issued a manifesto in the course of which, after explaining their creed, they stated that, "in the present circumstances of disintegrated and disunited political life, it has been thought expedient to bring together in one group as many men and women as possible who are of one mind as to the essentials and who are, nevertheless, ready and willing to be members of the Congress. It is not the object of the party to wreck the Congress or to bring about a deadlock within the Congress. The party, however, reserves to itself the right to work for the alteration of the programme which the Congress may have adopted for the time being and even to work for the alteration of the conditions of its membership, provided that the proposed alterations do not violate the fundamental creed of the Congress. It will be realised that in view of the reformed Councils and the Assembly, the position of the Indian National Congress has undergone and will undergo serious transformation. In the nature of things, the position of the Congress, in its bearing on the political life of the country, cannot be a fixed one for some years to come. Already, since the introduction of the Reforms of 1919, the Congress has undergone more than one serious transformation and yet it would be unwise to be indifferent to the future of this national political institution or to let it degenerate into a permanent party caucus".

### Declaration of their Faith.

Proceeding to a declaration of their faith, they stated :—“(1) We believe that a mass movement of resistance throughout the country is certainly one of the means of enforcing the will of the nation in political matters, but it is an ultimate remedy and we agree with the Congress, that the country is not at

present ready for any measure of this nature. (2) We believe, however, that a movement of organised individual or group resistance to authority is feasible and may be resorted to, as occasions may demand for a particular locality for definite objects and particular occasions. (3) We believe that no programme of bringing about constitutional deadlocks by resorting to the policy of uniform, continuous and consistent obstruction can be successful unless tried on a large scale and backed by some sanction behind the same. (4) We believe that the best course, under the present circumstances, is that of responsive co-operation which means working the Reforms, unsatisfactory, disappointing and inadequate as they are, for all they are worth and using the same for accelerating the grant of full responsible government and also for creating in the meanwhile, opportunities for the people for advancing their interests and strengthening their power and resistance to injustice and misrule. (5) We however, hereby declare that our working of the Reforms does not imply in any way that we give up any position or surrender any objection or make any commitment with regard to the grave defects and inadequacies of the present Government of India Act in general (including the preamble) or the diarchy in particular. (6) The policy of working the Reforms necessarily includes the capture of all places of power, responsibility and initiative, which are open to election by or are otherwise responsible to the party within the Legislature, subject to such conditions with regard to the policy, programme and other kindred matters as may seem desirable to impose from time to time'

## The Bengal Situation.

Turning to the situation in Bengal, they declared :—" In Bengal, it would be a deliberate and pretended blindness now to ignore altogether the Hindu-Muslim question. The Responsive Co-operation Party of Bengal is a political party of the Congress, but it is not opposed to the Hindu Sangathan or the Tanzeem movement, so long as they are kept within very strict limits. The party will not countenance communalism, but it will encourage the growth of the Hindu organisation and of the Muslim organisation on a national, as distinguished from a communal basis. To surrender absolutely all political, social or religious rights and privileges that are essential to the growth of the Hindus and the Muslims as a modern living nation which is in the course of formation, is not the means of cementing Hindu-Muslim friendship, and any understanding between the Hindus and the Muslims cannot ignore either their constitutional rights or the administrative, executive or legislative policy of the Government in relation to the religious, social and political rights of the Hindus and the Muslims. Any pact, provincial and national, which ignores either the existing state or such rights of the component parts of the nation, must necessarily be futile".

## The Party Conference at Calcutta.

On the 28th August a Conference of the Responsive Co-operation Party was held at the Indian Association Hall, Calcutta. There was a large attendance of gentlemen from almost all districts of Bengal. Presiding over the Conference Mr. B. Chakravarty said :—

Gentlemen, on behalf of the Responsive Co-operation Party of Bengal I offer you a hearty welcome to this Conference. The object for which we have met this evening is to decide on a programme for this party and to consider what steps we are to take

to contest the forthcoming elections to the Legislative Assembly and the Bengal Legislative Council in the interest of the Responsive Co-operation Party and in the interests of the country.

#### Meaning of Responsive Co-operation.

Without being desirous of forestalling your decision in any way, I beg, gentlemen, to be allowed to place before you the main idea with which this party has been started in Bengal. This party is, first of all, a party within the Congress: none but members of the Indian National Congress are eligible to become its members. The aim of the party, as of all other parties in this country, is the attainment of Swaraj by peaceful legitimate means. To this creed the Responsive Co-operators whole-heartedly subscribe: and it is their distinctive claim that they recognize no other fetters on their discretion in the choice of means and methods. They do not see the utility or the prudence of limiting their activities by any other dogma. So long as a course of action is likely to bring us nearer to Swaraj and so long as it does not lead us beyond "peaceful and legitimate" methods, we should not only not hesitate to adopt it—we shall be under a duty to adopt it, if we mean to be true to ourselves and to the best interests of our country.

#### "Widest Liberty of Action."

This is the fundamental doctrine of the Responsive Co-operation Party. In striving for Swaraj we intend to reserve to ourselves the widest liberty of action that the Congress creed permits. So long as we feel that we are keeping up the struggle for Swaraj at as many points as possible and in as vigorous a manner as possible, we shall not be deterred by formulas, conventions, political catchwords, and other forms of verbal jugglery. If the interests of the country call for it, we shall non-co-operate with the Government to the extent of Civil disobedience, if necessary. The recent example of Pandit Madan Mohan Malaviya and Dr. B. S. Moonje, two of the illustrious leaders of the Party in other provinces, is already fresh in your minds, and ought to convince you that the Responsive Co-operators does not mean business and will utilise every ounce of strength that the nation possesses in order to secure for it the birthright of freedom to which all human beings are by Divine law entitled. Again, if the interests of the country demand it, we shall not shrink from the duty of co-operating with the Government, even at the risk of courting ridicule from those who seem to think that Swaraj can be attained by noise and fury, excitement and other stage-effects. Whether misguided politicians and the blind followers they may have gathered round them callous co-operators, moderates or loyalists does not matter in the least. Whether we are serving the true interests of the country, whether we are bringing the day of Swaraj nearer, is the sole consideration for us. If we show ourselves weak in this struggle, if we fail to acquit ourselves as well as we might, if as workers in the country's cause we do not put the utmost pressure on the bureaucracy or if we fail to take advantage of opportunities for progress that offer, we shall have richly earned the condemnation of our countrymen. It is this attitude of fighting for our birthright at every point, with every weapon, and with unremitting devotion, that is the highest conception of nationalism to which we can aspire—the nationalism our great departed leader, Bal Gangadhar Tilak taught and worked for. For obstruction as such we have no love, because obstruction is not always synonymous with resistance, if we consider the peculiar relationship that subsists between ourselves and our rulers. Obstruction will in fact be mostly futile, often injurious to our interests. But there is a wide range of political activity in which we as a nation can gain in strength only by pitting the whole of that strength against the strength of the bureaucracy: it is in this sphere that obstruction will be useful, that obstruction will be necessary. And I need not point out to you, gentlemen, that as the past record of the leaders of the Responsive Co-operation Party shows, we shall not shrink from putting up the most stubborn resistance to official autocracy in all its form that we are at present capable of.

#### Acceptance of Ministership.

Before I conclude, I shall mention only one other matter; I mean the question of accepting ministerships. If you have followed me so far, you will understand that the only test that we can apply to this question is the test of the country's welfare. Shall we be helping our country in their march towards freedom? If we can do so as Ministers, we are under a clear and urgent duty to put forward our best men for Ministerial portfolios; and if we fail to do so, we shall not only be convicting ourselves of moral cowardice, we shall even be betraying the country's interests. But we must at the same time keep in mind the other alternative. The Government may not be disposed to grant to ministers those facilities that will enable them to work efficiently for the good of the

country. In that case it would equally be our clear duty to reject all offers of Ministerial portfolios. It is not the pomp and power of a Minister that we covet; it is the opportunities for national service that might go along with Ministerships that we dare not overlook. Inadequate, unsatisfactory and disappointing as the 'Reforms admittedly are, it would be mere affectation to deny that the work of village reconstruction could never be taken in hand on any adequate scale except with the support of the State exchequer. If we are to drive out Malaria and Kala-azar from the villages of Bengal; if we are to construct roads, canals, and bridges in rural areas, if we are to clear jungles, sink wells and excavate tanks for the benefit and use of villagers, if we are to make primary education compulsory and vocational education effective, if we are to promote agricultural and industrial development and thus cut at the very roots of the middle-class unemployment that has become the bane of our social life; if we are to do all these things—at least attempt to do them. I ask you, will you prefer to have the work done or the attempt made under the auspices of an I.C.S., official or a Government nominee rather than under the directions of one chosen by you and amenable to you and liable to be removed from office by your vote? This is an aspect of the question to which I draw your attention and the implications of which I trust you will fully consider.

**"Communalized Politics."**

One more point and I have finished. I feel I have to remind you also of the unhappy state of affairs that has arisen both in this and in other provinces as a result of the acute communal dissensions which prevail in the country from one end to the other. This unfortunate development has a vital bearing on the question of accepting offices; and I wish you to ponder over it. Some of you may have heard Mr. Jayakar speaking a few days ago at the Albert Institute Hall in this city. He told us experiences of what may be called communalized politics in the Bombay Presidency. The Ministers there have been elected on communal principle and are retained in office on the strength of communal votes. Mr. Jayakar who headed the Swarajist block in the Bombay Council found himself helpless against a combination of the official and nominated members with the communalist members in the legislature. The result is that even the reactionary measures of the Ministers are supported on communal grounds and the administration of the Transferred Departments is becoming more and more communal in spirit—with disastrous results on the general progress of the people. State patronage and other forms of State encouragement are being lent on communal grounds—irrespective of all other considerations. I request you to consider whether this is a desirable state of affairs for us to bring about or acquiesce in; and how far there is in our province a risk of such a development in the near future.

## Congress Politics in Central Provinces.

By the end of July 1926 serious differences among the Congressmen that had been brewing in the Central Provinces for some time past culminated in the secession of the most influential section of the existing members of the Legislative Council. The following statement was issued under the signature of Mr. E. Raghavendra Rao, leader of the Swaraj Party in the Central Provinces Legislative Council and several others associated with him both inside and outside the Council:—

"We the undersigned Congressmen in the Hindi districts of the Central Provinces, being of the opinion that the present political situation in the country warrants a modification of the programme chalked out by the Congress at Cawnpore within the Legislative Councils with a view to secure more effective co-ordination between the different shades of opinion in this province and secure the largest representation of Congressmen in the local Legislative Council, do hereby declare as under

(1) That the policy of obstruction in the Provincial Councils should be pursued having regard to the verdict of the electorate throughout the country and not as a result of the return of a majority of Congressmen in this province alone. We are of opinion that unless and until Congressmen are returned in a majority in at least two of the major provinces of

Bengal, Madras, Bombay and United Provinces, the Central Provinces alone should not be harnessed to an obstruction programme, as we consider that any isolated pursuit of that policy in a minor province is not likely to advance the objective of the Indian National Congress.

(2) We do not agree ourselves to accept offices as a part of our political creed. If, after election, should the response made by the Government be satisfactory and if power or responsibility and initiative necessary for the effective discharge of their duties are secured to Ministers, we shall consider the response on its own merits. The decision in our opinion should be left to a majority of the Congressmen in the country's Council. It shall be our endeavour to convert the next Congress to this view. In pursuance of this declaration, we solemnly promise to stand as independent Congressmen in the forthcoming election to the local Legislative Council and will honestly carry out the objects, stated above, in letter and spirit".

Subsequently, in a letter addressed to Pandit Motilal Nehru as President of the Central Swarajya Party, Mr. Raghavendra Rao stated that opinion was against the Central Provinces alone being harnessed to the obstructive programme in the Legislative Council against the weight of the verdict of the electorates in the rest of India. Mr. Raghavendra Rao therefore resigned his membership of the Executive Council of the Central Swarajya Party.

#### A Review of the Situation.

In this connection a review of the political situation in the Central Provinces at this stage will not be uninteresting. As is evident from the statement above, the cessation of the prominent members of the C. P. Hindustani party completed the split in the C. P. Swaraj Party and all attempts to bring about a compromise failed. In the 1923 Elections the Swarajists won their most sweeping victory in the Province and had the pleasure of "killing" dyarchy there. But now they were practically reduced to hopeless impotency. Mr. E. Raghavendra Rao, Chief whip of the Hindustani Swarajists formed his own party of Independent Congressmen on the lines of Responsivists taking his stand on the broken Sabarmati Pact. He was setting up candidates of his own party in opposition to Congress candidates. The Responsivists counted upon the support of Mr. Rao and his new party, for the programmes of both the parties were similar in many respects and the points of differences were almost negligible. For, though Mr. Rao and his following had broken the Swarajist vow, they did not reconcile themselves to the acceptance of offices. But if, after the election, they said, the response made by the Government was agreeable and if powers necessary for the effective discharge of their duties were secured to ministers, they would consider the question afresh on its merit.

The Liberals, too, were not lagging behind. They were setting up their candidates for the various constituencies. The Non-Brahmins had also put an organised fight. Of the seventeen Berar seats the Non-Brahmin Congress decided to fight for seven seats. The Non-Brahmin election board of Wardha announced their candidates to capture seats in the Council on the "Non-Brahmin Congress" ticket.

In the meantime help from outside was also sought to impress the electorate. Pandit Madan Mohan Malaviya came to the province on Mr. Rao's invitation and addressed meetings at Bilaspur, Raipur, Nagpur, Seoni and Jubbulpore.

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## The Bengal Congress Committee Affairs.

In pursuance of one of the clauses of the compromise\* which had been arrived at between Mr. J. M. Sen Gupta and Mr. T. C. Goswami (See Vol. I, p.99) the Bengal Provincial Congress Committee met on the 25th July 1926 to elect 30 members to the Executive Committee of the Bengal Provincial Congress Committee in place of thirty members who had been nominated by Mr. J. M. Sen Gupta in exercise of the powers granted to him by the Bengal Provincial Congress Committee at its stormy meeting of the 13th June, when Mr. Sarat Chandra Bose and Mr. Nirmal Chunder Chunder walked out of the meeting as a protest against such reconstitution of the Executive Committee.

The thirty nominated members, at the request of Mr. Sen Gupta, had resigned their seats and on this day thirty new members were elected, the new list including Messrs. Goswami, Sarat Bose, Nalini Ranjan Sircar and two leaders of the Congress Karmi Sangha, namely, Mr. Amarendra Nath Chatterjee and Mr. Upendranath Bannerjee.

The second item on the agenda was taken up first. It was for suggestion of name for the Presidentship of the Indian National Congress to be held at Gauhati. But as the Reception Committee had already issued the names suggested by other provinces for final selection of one name from them, it was settled that in the month of August the final selection would be made and that there was therefore no need of sending any suggestion now.

Then the first item was taken up. It was to elect 20 members of the Executive Council of the B. P. C. C., in place of those whom Mr. Sen Gupta, the President nominated according to the decision of the B. P. C. C. meeting held on the 13th June last. Mr. Sen Gupta explained to the members that in order to make Congress work easy he agreed to this position and therefore he asked all the members to help him in this matter. Then he asked Mr. T. C. Goswami to propose 30 members.

Mr. T. C. Goswami on proposing 30 members informed the house that the list of 30 members that he was proposing was prepared in consultation with the President and other important members. He also said that he consulted Mr. Upendra Nath Banerjee and Mr. Amarendra Nath Chatterjee though they did not agree to the entire list. He asked the members to accept the list.

Before he finished Babu Anil Kumar Roy Chowdhury raised a point of order stating that he had given notice of a resolution in which he questioned the legality of the Executive Council made on the 13th June last. So that resolution should be brought first. The President ruled that as the meeting had been called to consider only two items on the agenda he would not allow any other matter to be brought up and further that when no notice of that resolution had been sent to the members it could not be moved. Then Mr. Lalit Mohan Das rose on a point of order to the effect that as the nomination of the members of the Executive Council made by Mr. Sen Gupta as President was valid and no election of 30 members could take place unless they resigned. Thereupon the Secretary explained that those 30 members

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\* The following is the text of the Compromise :—That the resolution of the B. P. C. C. empowering Mr. J. M. Sen Gupta to nominate 30 members of the Executive will be rescinded and a fresh election will be made to fill up these vacancies.



had already resigned. Then Mr. Goswami read the list. After the names were read Babu Suresh Chandra Mazumder asked some members to go out and this they did. Then Sj. Kiran Sankar Roy seconded the resolution and the list was unanimously accepted. As there was no other work the meeting was dissolved.

### The Karmi Sangha's Statement.

Sj. Satish Chandra Sarkar, Officiating Secretary, Congress Karmi Sangha issued the following statement in pursuance of a resolution passed at a meeting of the Sangha on 7th August. The statement is interesting in as much as it has some bearing on the clash that the Sangha had with the B. P. C. C. Executive :—

It has been brought to our notice that a systematic and persistent campaign of vilification and misrepresentation are being carried on against the Karmi Sangha by such responsible leaders of the Congress to lower it in the estimation of the public. We, have, therefore, thought it desirable to make a clear statement of our position and try to explain the kind and careful attention paid to it by the Congress leaders.

The Congress Karmisangha has been founded to carry on the Congress work specially the constructive programme which has been sadly neglected by the present leaders and to bring about a cordial and harmonious relation between the workers of different groups, so essential for the real and solid work of the country. It stands for the Congress programme as its name unmistakably implies. It wants the Congress organisation to put to function, all round the year, and does not think its duties ended with the election to the different legislatures. The Karmisangha wants to push the constructive programme which has been sadly neglected by the leaders. It thinks that communalism and nationalism will go hand in hand and therefore wants to have nothing which seeks to perpetuate the spirit of communalism. Now-a-days it has become a common practice with our leaders to accuse a person of being a spy whom they want to remove from public life but cannot bring any definite charge against him. It is easy for the accusers, for it does not require any proof but it is impossible for the person accused of to clear himself. When Mrs. Naidu brought that charge against so large a number of the members of the Karmi Sangha she totally forgot her exalted position and also totally forgot that the success of Congress-work and of Swaraj-Party was, not to a small measure, due to the devotion and hard toils of these now much maligned workers and the triple crown on the head of her host was mainly put by the exertions of those whom she now is pleased to call spies.

When the Calcutta Corporation was captured by the Congress the question of the appointment of the Chief Executive Officer came to the fore front. Some persons who are now members of the Karmi Sangha and their friends now under detention pressed for appointing Sj. Subhas Chandra Bose as the Executive Officer and he was ultimately appointed as such. Mr. Sasmal was also a candidate for the post and he tried his level best to get it. This was too much for the selfless Sj. B. N. Sasmal; his patriotism could not brook it, and he took it as an insult and non-recognition of his sacrifice and service. He ultimately cut off his connection with the Swaraj Party and resigned the membership of the Bengal Legislative Council in spite of repeated and earnest entreaties and requests from Deshbandhu. Deshbandhu tried every possible means to pacify him but all in vain. Then it came into the head of Mr. Sasmal that owing to the opposition of the workers he could not get the much coveted post. From that time Mr. Sasmal began to bear a bitter grudge against them which he unburdened at Krishnagar. In this connection it may not be out of place here to mention that when Sj. Subash Chandra Bose was mysteriously spirited away for unknown reasons, Deshbandhu did not think it necessary to call Mr. Sasmal to take up the duties of the Chief Executive and we know he had good reasons not to do so.

After Deshbandhu's death there was an acute difference inside the Bengal Swarajya Party about the appointment of the Mayor of the Corporation. Some prominent men of Calcutta wanted that either Sj. Nirmal Chandra Chatterjee or Mr. Sarat Chandra Bose should be the Mayor but others thought that the President of the B.P.C.C., Bengal Swarajya Party and the Mayor should be the one and the same person. Mahatma Gandhi who was then at Calcutta, supported this view. Mr. Sen Gupta sought the help of the persons whom he is now pleased to call disloyal to the Congress and therefore undesirable and his friend Mr. Sasmal and his guest Mrs. Naidu are pleased to call spies. He came out

successful only because of the effort of the workers. This caused heart-burning in many quarters. Sj. Tulsi Charan Goswami returned from England and joined the opposition party to Mr. Sen Gupta. Thus the group now styled Karmi Sangha made themselves obnoxious and undesirable to these influential and wealthy persons of Calcutta and drew their careful and kind attention. Mr. Sasmal joined them and various rumours were spread against those who worked for Mr. Sen Gupta. At the time it seemed he actually felt pained that false insinuation were made against innocent and sincere workers for no fault of theirs.

Mr. Sasmal entered the Bengal Council after Deshbandhu's death and was a candidate for the presidency of the Bengal Council. But this time also he had to be disappointed. Sriji Kiron Sankar Roy, the power behind the throne in Swarajya Party, was in close friendly touch with the members of the Karmi Sangha at the time but not even on speaking terms with Mr. Sasmal. So Mr. Sasmal thought that Sj. Kiron Sankar with the help of the members of the Karmi Sangha influenced the Swarajya Party not to adopt him as their party candidate so he got himself again defeated.

Then in November, 1925 came the general meeting of the B.P.C.C. for the election of office-bearers and the Executive Council. The opponents of Mr. Sen Gupta tried to have Sm. Basanti Devi as President and Mr. Sasmal as Secretary. But Sm. Basanti Devi refused to be the President and Mr. Sen Gupta came out successful only with the help of the now much-maligned group. Sj. Kiron Sankar Roy, the power behind the throne, arranged the personnel of the Executive Committee and other office-bearers in consultation with the und-sirables. Just before the Calcutta Congress a compromise was effected with Sj. Tulsi Charan Goswami and his friends as a result of which Sj. Harendra Nath Rai Chowdhury and Dr. B. C. Ray were elected members of the A.I.C.C.

Fresh troubles again appeared about the election of the selection board for the nomination of candidates for the different legislatures. At a general meeting of the B.P.C.C. held in January Sj. Goswami proposed 14 names for the election board and would not have any addition or alteration while Mr. Sen Gupta proposed 80 names taking persons from all groups. The amendment electing only Sm. Basanti Devi, Mr. J. M. Sen Gupta and Moulana Azad on the board was carried by the support of the Karmi Sangha at the advice of Sj. Kiron Sankar Roy, for it virtually made Mr. Sen Gupta the absolute master of the whole election affairs. After some time Mr. Sen Gupta as a result of the negotiations with Mr. Goswami's group asked the Executive Council to co-opt some members and Mr. Goswami and others were elected as such, the members of the Karmi Sangha who were on the executive supporting Mr. Sen Gupta. The Karmi Sangha argued that the District Congress Committees should be reorganised first and nominations of candidates be made afterwards and funds be raised for the purpose. The election board slept over the question of reorganisation of the District Congress Committees, though repeatedly their attention was drawn to the matter and a resolution in the Executive Council to reorganise the District Congress Committees before nomination of candidates was defeated by the casting vote of the President Mr. Sen Gupta. At this some members of the election board who did not like the suggestion resigned and those resignations were not only not unwelcome to Mr. Sen Gupta and Kiron Babu but rather they were a great relief to them.

Then came the fateful Krishnagar Conference in May last. Mr. Sasmal would not allow the opportunity to slip away, he hurled wanton abuses against the ex-revolutionaries and "marked men of the Government" and wanted them to get out of the Executive in his Presidential address. Mr. Sen Gupta himself felt constrained to move in the Subjects Committee a resolution deprecating Mr. Sasmal's utterances, though later on he put Mr. Sasmal's sentiment into action. Mr. Sasmal left the Subjects Committee at once and refused to preside over the conference. When the delegates assembled in a meeting they discussed whether there should be any sitting of the conference then and there. The question of Hindu Moslem pact was hanging like fire, Mr. Sen Gupta and his followers, who wanted to keep the pact as it was, left the meeting after breaking it lest the pact should be, with the help of a Moslem delegate, rescinded, signs of which they had seen in the Subjects Committee meeting. Somehow or other Mr. Sen Gupta now began to feel that he was losing his influence over the Karmi Sangha with whose help he captured the triple crown and maintained his position. He now joined hands with Mr. Sasmal with a view to get rid of his old friends whom he now imagined his opponents. Then came the memorable meeting of the B.P.C.C. on the 13th June in which Mr. Sen Gupta appealed to the members to dissolve the Executive Council and re-elect a new executive in its place as the majority of it were members of the Karmi Sangha who wanted a modification of the Bengal Pact and to refer it to the A.I.C.C. and as such, according to him, disloyal to the Congress. He appealed to the B.P.C.C., to elect such a Council that will

## BENGAL PROVINCIAL CONGRESS COMMITTEE

always blindly follow him without asking why and wherefore. This trick succeeded but the recent compromise with Mr. Goswami's group over the past question and the election of the Executive Council that took place on the 25th July speaks for itself. All these dissolutions and elections lead to one thing and one thing only that it is against the spirit and letter of democracy and the present leaders have utterly forgotten that the Indian National Congress is a democratic body and it is their sacred duty to democratise it more and more.

The Karmi Sangha, therefore, resent such unconstitutional, undemocratic and autocratic action of the leaders of the Congress and want to see the provincial organisation purged of autocracy and unconstitutionality and run on national and democratic lines.

The Karmi Sangha will devote its energies to the re-organisation of Congress Committees and villages wherein dwelleth the true soul of the nation and hope the country will co-operate with them in this endeavour.

### Compromise with Karmi Sangha.

Subsequently at a meeting of the Bengal Provincial Congress Committee held on the 29th August, a compromise was arrived at between the Karmi Sangha and other members of the B.P.C.C. on the basis *inter alia* that twelve members of the Sangha would replace a similar number who had resigned from the executive council of the Committee and that the present Congress returning officers would be substituted by presidents of District Congress Committees. The following is the official report of its proceedings :—

"The Bengal Provincial Congress Committee requisition meeting held on the 29TH AUGUST was very largely attended, over 200 members being present. From the very beginning it was noticeable that an attempt was being made by the President, Mr. J. M. Sen Gupta, to bring all parties together in order that a united front might be presented at the next election. In opening the proceedings the President observed that it was the duty of the members of the Bengal Provincial Congress Committee to forget all differences. If there had been any irregularities or mistakes no party could say that they were all on the other side. He made an eloquent appeal in the name of the Congress to all present to sink their differences and to work together. They had only two months more to get ready for the elections and the President felt no doubt that if all parties within the Congress joined hands no other party outside would have any remotest chance at the elections.

After the President's speech Mr. S. C. Bose moved the following resolutions :—

That all matters raised in the resolutions of which notice has been given and to consider which this meeting has been called, having been settled to the satisfaction of all concerned, this meeting resolves as follows :—

(a) that the following members of the B. P. C. C. be elected as members of the Executive Committee of the Bengal Provincial Congress Committee in the places of (Here 12 names are mentioned against a similar number resigned.)

(b) that the Presidents of the District Congress Committees will be the returning officers of their respective districts and in case any of them declines or is unwilling or unable to act as such, he will nominate a member of the District Congress Committee as such returning officer in his place. The Presidents or their nominees will take charge as such returning officers immediately and the old returning officers who have been elected do make over charge to the new returning officers immediately.

(c) That all acts done by the old returning officers up to the date of the new returning officers taking charge will be generally treated as valid,

but if any questions of validity of their acts be raised in future, such questions will be decided by the Elections Disputes Committee of the Bengal Provincial Congress Committee.

(d) that the following members of the B. P. C. C. be elected additional members of the Election Disputes Committee which has been elected viz :— Babus Amarendra Nath Chatterjee, Kiran Sankar Roy, Jitendra Nath Mitra, and Sarat Chandra Bose ;

(e) that the time for filing nomination papers election to the B. P. C. C. be extended up to the 7th September 1926 and that all consequential changes regarding the dates of scrutiny and other dates be made by the executive committee of the B. P. C. C.

1. That having regard to the above resolution, all the resolutions of which notice has been given stand withdrawn."

Babu Amarendra Nath Chatterjee seconded the resolution in a feeling speech and Babu Provash Chandra Bose supported it.

Babu Basanta Kumar Mazumdar said that neither he nor his friends had any objection to twelve members of the KarMI Sangha coming into the Executive Council of the B. P. C. C. but he saw no necessity for the addition of any members to the Election Disputes Committee or for appointing the Presidents of the District Committees as returning officers in their respective districts,

Maulana Abul Kalam Azad in supporting the resolution made a powerful appeal to all Hindus and Moslems present for unity. He impressed on the meeting the necessity of closing up the ranks for the purpose of effectively fighting the elections.

The house adjourned for half an hour for an informal discussion and after the proceedings were resumed the resolution was put to the vote and carried by an overwhelming majority, about one hundred and eighty voting for and about 25 against.

After the requisition meeting was over a Special Meeting of the B. P. C. C. to consider certain proposed changes in the Rules was held. Mr. Kiran Sankar Roy moved that the rules regarding requisition meetings be suspended till election to the legislatures was over. Mr. S. C. Bose moved an amendment by adding the words "unless the requisition stating the business to be transacted is signed by not less than sixty members of the B. P. C. C." Mr. Roy accepted the amendment which was put to the vote and carried by more than three-fourths majority.

#### Election of B. P. C. C. Members & Executive.

An unpleasant incident took place at a meeting held on the 4TH DECEMBER, of the newly elected members of the Bengal Provincial Congress Committee to which admission was by cards. Recently a new 24 Parganas District Committee was formed disqualifying most of the old members. The latter demanded admission at the meeting holding the disqualification invalid, but men at the gate opposed their admission. Hot words passed between the parties, but before they came to blows, leaders interfered and on the assurance that their grievances will be considered next day flourishing of sticks and splint bamboos ceased.

The meeting commenced with Mr. J. M. Sen Gupta, President, in the chair. The only business transacted was co-optation of 56 members by election including fourteen Mahomedans and ten ladies. After the election of co-opted members, the meeting of the Committee was adjourned.

Next day serious disturbance was created again when the adjourned meeting of the Committee was held. A crowd consisting of some rowdies wanted to enter the hall of the meeting without admission cards and they were prevented by men at the gate. As a result quarrel ensued and the mob became furious. Regular fusillade of brickbats and stones were pelted from the streets and the volunteers were belaboured with sticks, glass windows were smashed and the business of the meeting stopped for a considerable time. The situation became so menacing that the Police were at once phoned for and but for their timely arrival, the situation would have gone out of control. Four men were seriously injured including one press representative. The Police arrested five men.

The general meeting of the Committee was then resumed Mr. J. M. Sen Gupta, the out-going President, presided. Mr. Sen Gupta, at the outset, remarked that for private reasons he did not offer himself for re-election as President for the forthcoming year. Mrs. C. R. Das was unanimously elected President, Nirmal Chander Chander and Wahid Hussain were elected Vice-Presidents and Mr. Anil Baran Roy who was recently released from the jail was elected Secretary. Sixty members were elected to form the Executive Committee including 20 elected and uncontested including Messrs. J. M. Sen Gupta, T. C. Goswami and S. C. Bose.

## **Ban on Pt. Malaviya and Dr. Moonjee.**

In the beginning of August the country heard with surprise the news from Allahabad and Calcutta about the ban on Pandit Malaviya to enter Calcutta under Section 144 Criminal Procedure Code. That the Acting Governor of Bengal had more or less yielded to the influence of the party of Sir Abdur Rahim was the general comment on the prohibition order. Pandit Malaviya's reply to the Chief Presidency Magistrate refusing to submit to his "illegal and unjustifiable" order and his decision to proceed to Calcutta was now the chief topic in both official and non-official circles.

Pandit Malaviya's telegram to the Chief Presidency Magistrate was considered in non-official circles as the only reply which that veteran Congressman and politician of forty years' experience could have given to the sensation-longing action of Sir Hugh Stephenson.

### **The Prohibition Order.**

The following order under Sec. 144 of the Criminal Procedure Code under the signature of the Chief Presidency Magistrate of Calcutta was served on Pandit Madan Mohan Malaviya at his residence in George Town, Allahabad, on the 4th August :—

"To Pandit Madan Mohan Malaviya of Allahabad.

"Whereas it has been made to appear to me you intend to enter the town of Calcutta on or about the 4th day of August 1926, that considering the present state of communal feeling in the town of Calcutta between Hindu and Mahomedan communities, your presence in the town of Calcutta is likely to lead to: a disturbance of public tranquility, that since the outbreak of communal riots in the town of Calcutta on 2nd April 1926, you have

made public utterances in Calcutta which were likely to excite the feelings of the aforesaid communities and that in the present circumstances your presence in Calcutta and your addresses to different bodies of men are likely to lead to a disturbance of public tranquillity, therefore, I do hereby prohibit you under Section 144, Criminal Procedure Code from entering the town of Calcutta or remaining therein and I strictly warn and enjoin you not to disobey the said order."

#### Pt. Malaviya's Reply.

In reply Pandit Malaviya addressed a letter to the Chief Presidency Magistrate, Calcutta, in which he submitted that the order was based upon misrepresentation of his public utterances in Calcutta. The Pandit further wrote:—"It is entirely wrong to say that those utterances were likely to excite the feelings of Hindu and Mahomedan Communities in Calcutta. On the contrary, I claim that they were calculated to smooth those feelings and did have the effect of subduing them to some extent and of easing the tension that unfortunately existed between the communities. I am surprised to learn that anyone should have suggested to you in the present circumstances that my presence in Calcutta and my addresses to different bodies of men there, are likely to lead to a disturbance of the public tranquillity. The speeches I made in Calcutta, were reported in the public press and a perusal of them will show that they do not support the view you have been led to form of them. If official reports of my speeches submitted to you are different from those published in the press, I should like to see them. I have been in public life for over 40 years and I claim to be able to avoid saying anything which is likely to lead to a disturbance of public tranquillity or to incite communal feuds. If, however, my speeches were such as you have described them, it was and is open to the Government to prosecute me for having made them. If I make any such speeches in future, it will yet be open to the Government to do the same. But I submit that the Legislature did not intend that a Magistrate should curtail the right of speech and action of any individual in the manner you have sought to do in my case by an order under Section 144 of the Code of Criminal Procedure. In the circumstances of the case I consider your order to be both illegal and unjustifiable and in the cause of freedom of speech and action, I consider it my duty not to obey it. Consequently, I beg to inform you that I hope to reach Calcutta by the Punjab Mail on the morning of the 7th instant and intend putting up at Birla Park in Ballygunje."

#### The Pandit's Arrival.

Pandit Madan Mohan Malaviya arrived at Howrah by the Punjab Mail on the 7th August and motored straight to Birla Park, the residence in Ballygunge of Mr. Ghanshyamdas Birla. In spite of his message to Mr. B. Chakravarti that there should be no demonstration, there was a large crowd of Hindus to receive him at the station. The Pandit addressed them in Hindi and asked them always to keep peace.

#### Police Precautions.

The Police authorities had taken elaborate precautions to prevent any untoward incident and armed European Sergeants and Gurkhas and foot-police with lathies had been posted at both ends of the Howrah Bridge. The Pandit alighted from the train and after addressing a few words in

Hindi to the crowd on the platform, drove off at a high speed towards the bridge en route to Birla Park, followed by a running and cheering crowd. The Police at the Howrah end of the bridge allowed the Pandit's car to pass and immediately blocked the entire breadth of the Bridge holding up the crowd and all vehicular traffic for a quarter of an hour, after which the crowd was allowed to enter the Bridge. This effectively prevented any demonstration on the route.

#### The Pandit's Address.

In the afternoon the Pandit addressed a very largely attended public meeting in the Albert Hall on the present situation. He laid special stress on the Hindu-Muslim differences and suggested as a remedy that if only the so-called educated men should decide to contribute their shares to the solution of this important question by taking up a right attitude and proclaiming it to their fellow countrymen, they would cease to quarrel in a day. He advised all political parties to sink their differences and merge themselves into the large Congress Party in order that the Government might yield to their reasonable demands. The Pandit advocated the adoption of one common policy which was the policy of what was called Responsive co-operation.

Dividing his subject into three heads namely the present situation as it was affected by relations of the two principal communities, the differences that divided the political parties at present and the attitude of the Government towards public question of vital importance, the Pandit said that every one of them was aware how deplorably sad the relations between the Hindus and the Mahomedans had been during the last two or three years and particularly during the past few months. The events that had happened in India within the last few months and which had exposed them to the ridicule of the world were nothing but temporary outbursts of evil passions fanned by utterances of some so-called educated men and they would cease to quarrel if the so-called educated men decide to contribute their share to the solution of this question by taking up a right attitude and proclaiming that attitude to their fellow countrymen.

He did not agree that the solution of the political question was to be made a condition precedent to the settlement of communal quarrels. He had no desire to minimise the gravity of the situation in regard to this matter, but he felt that the situation would be best handled by adopting a correct attitude and by having courage to speak out what they felt to be right. The Government of the country had also its contribution to make to the solution of the question and wherever the authorities were just and firm and had the courage to act correctly, the situation was easily handled. It was, therefore, essential that the Government should adopt a correct and firm attitude and should not show partiality to one community.

With regard to the second part of his subject, the Pandit said that at the present moment, they were in the midst of many parties. The Swaraj Party had adopted a policy which was inherently unsound. The Pandit begged of the members of the party to consider whether in their present frame of mind any one of them could render right service to the country. It was high time that they should definitely decide to abandon this attitude. Those who wanted to go to the Councils must go there with the determination that they would use them to promote the establishment of full responsible

Government and, at the same time, offer the stoutest resistance to the Government's proposals when public interests demanded it. It was no good saying that they were bound by the Congress resolutions. He was a member of the Congress for many years and hoped to remain so all his life and die as such, but he claimed that his love for his country was greater than the reverence he owed to the Congress. It would be a calamity if they could not compose their differences and agree that they should see that the right type of men were returned from all parties at the coming elections.

Turning to the last point, the Pandit said that the attitude of the Government towards public questions had changed for the worse during the time they had been divided and in many places the Government had taken undue advantage of their division. The remedy lay in their own hands and if only they could create intelligent, united and determined public opinion, he was sure that the Government would climb down and show greater regard for their views and rights and privileges than they did at present. He was at one with the Swarajists that the constitution of the Government of India Act should be modified as early as possible, but that opportunity would not arise so long as they were divided.

The Pandit concluded :—" Every consideration demands that we should make up our differences and sit down together to adopt one common policy. I submit that in regard to Councils, the common policy that can be adopted is the policy of what is called " Responsive co-operation."

#### **Dr. Moonji's Arrival**

On the next day, the 8th August, Pt. Malaviya left Calcutta for the Central Provinces on election campaign. On the 9th August Dr. Moonji arrived in Calcutta and was received at the station by a small crowd, as many were not aware that he was coming. Elaborate police arrangements were also made as on the occasion of the arrival of Pt. Malaviya, but the Doctor was not arrested. He left Calcutta for Bilaspur in the same afternoon.

On the same day, the 9th August, summonses were issued against both of them for disobeying the order and asking them to appear before the Chief Presidency Magistrate, Calcutta, either in person or by legal representative.

On the 19th August the Standing Counsel and Public Prosecutor appeared and applied before Mr. Bivar, Additional Presidency Magistrate, for the withdrawal of the cases against Pandit Madan Mohan Malaviya and Dr. B. S. Moonji. The Standing Counsel said that when the application for original order was made, communal tension was very high and the Pandit, on the occasion of his last visit, had addressed a meeting to a community which had taken a prominent part in the last riot. But the Government had now seen the full speech delivered by the Pandit on the 27th August and found it was conciliatory and that there was nothing objectionable in it. About 15 days had since passed and there had been no disturbance. Under these circumstances, the Standing Counsel, under instructions from the Government, asked leave to withdraw the case.

Regarding Dr. Moonji, the Standing Counsel said that since his visit, there had been no riot or tendency for a riot and so he applied also for withdrawal of the case pending against him.

#### **Mahatma Gandhi's Comment.**

Commenting upon this Mahatma Gandhi congratulated the Government of Bengal upon the courage it has shown in retracing its steps and dropping



the proceedings against Pandit Malaviya and Dr. Moonji for their civil disobedience. He however added :—" But one could wish that there was a grace about the withdrawal of these proceedings. The Standing Counsel for the Government of Bengal made a statement which I think was highly offensive. There is no regret shown on behalf of the Government, no apology offered to the distinguished patriots, but on the contrary a veiled suggestion that there was possibly some connection between Panditji's presence in Calcutta and the riots that took place. Although the Standing Counsel is obliged to admit that there was nothing offensive or provocative in Panditji's speech on the strength of which the prohibition order was taken, surely it was up to the officials who took the proceedings to see the full text of the speech before applying for an order under Section 144 especially when the order was to be against persons so well-known in public life as Panditji and Dr. Moonji. If it was a private party that had acted so hastily as the Government of Bengal seem to have done in this case, that party would have rendered itself liable to an action for damages. If public opinion was well organised and strong, it could bring to book the Government that acted so rashly and recklessly as the Bengal Government have done. In the face of these proceedings, is it any wonder that the complaint is often heard that proceedings are often thoughtlessly, hastily and sometimes even vindictively taken against innocent persons in virtue of arbitrary powers by the Government under laws in the framing of which they have had most part?"

### **Lala Lajpat Rai's Resignation from Swaraj Party.**

'Lala Lajpat Rai up to the time of the Cawnpore Congress had been an unsparing critic of the policy of the Swarajya Party. Even in the Subjects Committee of the Cawnpore Congress, he fought tooth and nail some parts of the walk-out programme which they were trying to have passed by the Congress. But pourparlers were in progress even at this time on behalf of the Swarajists to net the Punjab Lion. And it is now an old history how the wily Pundit of Allahabad with the help of the sharpwitted politician of Madras, we mean Mr. Srinivasa Iyenger and Mrs. Sarojini Naidu succeeded in capturing him. The public were simply astounded to hear that Lala Lajpat Rai had agreed at last to become a full-pledged Swarajist. But there was more surprise in store for them. This they had when they found Lalaji in March last at the Lahore Bradlaugh Hall supporting the Swarajist programme with all the zeal of a new convert. But the patriotism and sincerity of Lalaji are unquestionable and this action, therefore, was explained on the supposition that the Sun of the Punjab was under a temporary eclipse.

This temporary eclipse or the cloud over his vision and intellect was now passing away and Lala Lajpat once again revealed himself in his full splendour not as a follower of a particular political party but as an apostle of unity. His letter to Pandit Motilal Nehru, the full text of which is given below, shows that he has now recognised the mistake he had committed in lending his weight to the policy of the Swarajists'.

The letter was published at a time when conversations were proceeding at Simla between Mrs. Sarojini Naidu and Pandit Motilal Nehru on one side and Lala Lajpat Rai and Pandit Madan Mohan Malaviya on the other for the

purpose of finding a formula in order invite all the parties within the Congress, with the object of bringing about unity for fighting the elections. The following is the text of the letter addressed to Pandit Matilal Nehru, President, Swaraj Party and is dated the 24th August 1926 :—

Lala Lajpat Rai's Letter.

“My dear Panditji :—I thank you for the message you sent me last night through Mrs. Naidu and Mr. Rangaswami Iyengar asking me to see you at your Hotel at 10 o'clock and to attend the party meeting at 11 A.M. to-day. They informed me that the Swaraj Party Executive Council had decided not to attend the rest of the session of the Legislative Assembly. Mr. Ranga Swami Iyengar told me that even if the party does not accept my proposal of attending the rest of the session they may permit me to do so as a special case for certain purposes. I have been considering the matter ever since these friends left me and have come to the conclusion that though no good purpose is likely to be served by my seeing you or attending the meeting of the party, but out of respect for you and the party, I should attend the party meeting and explain my position. Differences between us are too radical to be removed by any patch up and it shall not be honourable on my part to accept special permission of the party to attend the rest of the session if the party were to grant me such a permission (which assumption is purely problematic). I feel that while I can remain a member of the Congress inspite of my differences with the majority of its executive, I cannot remain a member of a party from whose executive I differ so radically. It is true I gave my support to the Cawnpore resolution. I did so with the best of motives in what I considered to be in the best interests of the country and the Congress then, but after experience of the last eight months I have come to the conclusion that my hopes were not well founded. Firstly, the resolution was changed in one important particular, at least against my protest in March last, thereby ceasing to be binding on me at all. At Cawnpore I insisted on my amendment relating to the Budget Debate being accepted as a necessary condition of my supporting the resolution. The party accepted this, though reluctantly, but 2 months later, the amendment accepted at Cawnpore was again negated by a lesser authority than the Congress. I voted against this change and questioned the jurisdiction of the All-India Congress Committee to do so, but I was over-ruled. Still in the interests of discipline I walked out alone with the rest of the party. Secondly, the ostensible object of the resolution so far as it related to “walk out” had failed to realise. No constructive work in the country was either undertaken or accomplished and exceptions were so many that it lost all its value. The fact that I was not in full agreement with either at Cawnpore or at Delhi has more than once forced itself upon me but in my desire to remain with you as long as possible I brushed it aside until it has become quite clear that to continue a member of the party is neither fair to you nor to myself. There are certain matters on which my differences with you are almost fundamental. The angle of vision with which we two look at the questions relating to matters on which Hindus and the Muslims differ is entirely different and often brings us into a conflict. Slowly and gradually I have come to share the belief of many other Hindus that the Swaraj party as at present constituted is distinctly harmful to the Hindus not so much in the matter of

their differences with Muslims as it is intrinsically in matters between the Government and the Hindus. The "Walk out" has positively been more harmful to the Hindus than to any other class or community. Assuming that the Swaraj party in the Legislative Assembly consisted of 40 to 50 members, their "walk out" has deprived only 5 or 6 Muslim constituencies of the services of their representatives, while in case of Hindus it has deprived the latter of about 6 or 7 times that number.

"The result is that by the "walk out" of the Swarajists, elected Hindus are in much smaller minority in the Assembly than they otherwise would be, thereby rendering their representation in the Assembly entirely ineffective. There is a lot of business transacted in the Assembly which mainly affects the Hindus and does not so much affect other communities. Hindu constituencies which returned us are thus deprived of the services of their representatives to a much larger extent than any other class or community has been. I consider this to be a breach of faith with the constituencies and I cannot any longer be a party to such breach of faith. I know, you cannot agree with me in that point of view. You say you came to the Assembly to wreck the reforms and everything that it implied. Although you have not acted in that spirit and have attended the Assembly for one purpose at least even after the walk out, I however, did not come to the Assembly with that object or on that principle nor did I stand for election on the Swaraj Party ticket. In the matter of Council work I made my position quite clear in the letter I wrote to the Secretary at the time of joining the party.\* Under the circumstances, I feel that I am out of place in such a party. That explains the difference in the way we look at the agenda of the rest of the session. To my mind all resolutions relating to communal quarrels or communal proportions in services are of national importance and all members of the Assembly should attend when they are considered whatever the result may be. Similarly in my judgment the proposed change in the Criminal Procedure Code is a serious matter deserving the consideration of all representatives of the people in the Assembly. It is an encroachment on the liberties of the people. I am mentioning these two points by way of illustration.

"In my judgment it was a mistake not to have confirmed the Sabarmati Pact. On the question of accepting offices my views remain unchanged, but all the same I consider that the Sabarmati Pact was a very honourable settlement of differences between the two wings of the Congress and the failure to confirm it has been a disaster.

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\* The following is the text of the letter which Lala Lajpat Rai wrote on the 20th January, 1926 in accepting the membership of the Swaraj party.—My Dear Panditji,—I have to thank you for the invitation you have extended to me to join the Swarajya party in the Legislative Assembly. The last time when I met you I said that personally I had made up my mind to accept your invitation, but that before giving my final consent I would consult my Lahore friends and would give you a final answer on Monday next. Since then I have consulted my friends and this letter is the result of that consultation. While joining the Party I would like to make my position quite clear so that there may be no misunderstanding about it now or hereafter. As I read the rules of the Party I do not think my position is in any way inconsistent with them. (A) I believe in the Council work. I am opposed to boycott of Councils and Assembly; I am not in favour of the Swarajists accepting offices in the gift of the Government. (B) I do not believe in wholesale obstruction and have never believed in it. (C) I wish to retain my freedom of action on communal questions. I understand that communal questions shall not be decided by a party vote. (D) In disputes between Labour and Capital I am a Labour man and I understand the majority of the Swarajya party is also of the same way of thinking. Subject to these observations I shall be glad to be a member of the party. Yours sincerely, Lajpat Rai,

"In the light of what has happened during the last eight months, I consider that the decision of the Congress to run elections in its own name and by its own agency was a mistake and sooner that mistake is rectified the better for the country. This view is strengthened by a recent resolution of the Provincial Congress Committee of the United Provinces of Agra and Oudh.

"I do not agree with the resolution of the Working Committee regarding the right of one community to block legislation on matters on which 3-4ths of its members in a particular legislature desire that there should be no legislation, nor do I consider that the refusal of the Congress to concede freedom of action in communal matters is right. Again the honest truth is that at present at least I cannot think on party lines. I am of opinion that the present crisis in our national life should be met by a joint effort of the most competent and most trustworthy of the Indian nationalists regardless of party affiliations. I am conscious of the practical difficulties that lie in the way of my such scheme being carried out, but, I do not consider them to be insurmountable. Under the circumstances, I am unable to work in the interests of the party as such and give my support in the coming elections to mere party candidates as against persons who in my judgment may be abler, more competent and more reliable from a political standpoint than mere party candidates.

"Taking all these things into consideration you will, I presume, agree with me that I should not remain in the party. I do not presume to sit in judgment on the party. They are acting with the best of motives in what they consider to be the best interests of the country. I respect them for their view and I am anxious to maintain the friendliest possible relations with them. I value the privilege of your and their friendship—if you and they will allow me, inspite of our differences, continuance of that privilege. This I think is only possible if I sever my connection with the party at this stage. To accept a concession for attending the remaining sittings of the Assembly will be neither honourable nor dignified. Subject to these remarks I am and shall always be at your beck and call for any service that I may be fit to render to you personally or to the party or its members consistently with my principles. I hope we are parting in the best of spirits and as friends in full recognition of the fact that each is actuated by the best of motives in the action he is taking. I am grateful to the party for personal consideration they have shown me from time to time for reason of my past services."

### Pt. Nehru's Reply.

In reply to the above Pt. Motilal Nehru sent a long letter in which he dealt seriatim with all the points of difference mentioned in there. The following is the text:—

"Dear Lala Lajpat Rai:—Your typed letter dated August 24, was handed to me on the 26th, with the following note added in manuscript: 'This letter was read in the party meeting held on the 24th and was at my request given back to me for some corrections and for retyping. It is sent to Panditji to-day, the 26th. No copy or copies have been given to the Press or to any one else so far.'"

"After receipt of this letter Mrs. Sarojini Naidu gave me to understand that you were reconsidering the position and would probably withdraw the letter. It was only last evening that I was informed that you had handed it to the Press, and I find it to-day published in the 'Pioneer' with an editorial note under the caption 'A Formidable Indictment.' It is not now necessary to delay my reply any longer but I must at the

outset congratulate you on the well-deserved compliment paid to you by such a friend of Indian rights and aspirations as the "Pioneer."

"The action you have taken was not entirely unexpected, as it is well-known that you have for some time past been preparing the public for it through a section of the Press controlled or inspired by you. But what has come upon me as a painful surprise is the reasoning by which you seek to justify that action. If you had only sent in your resignation without expressing any opinions, it would have been enough to accept it with an expression of regret, but as you have thought fit to attack the party which has honoured me by electing me as its president and leader, it becomes my duty to defend it.

"Before I come to the points you have raised, let me remind you of the circumstances in which you secured your election to the Assembly and subsequently joined the party. You say in your letter that you did not stand for election on the Swaraj party ticket. It is true that you were not announced as a Swarajist candidate and did not sign the pledge. But the question is whether, in the events that have happened, you are not bound to the party in precisely the same manner as if you had been elected on the party ticket. The facts, as I have been able to ascertain them, are these:—

"In compliance with your wishes Raizada Hans Raj handed to you his resignation from the Assembly. After this an understanding was arrived at between you and him that you would support the Swaraj party in the Assembly and help me in carrying out the policy and programme of the party. In consequence of certain action that you took later, difficulties arose between you and Raizada Hans Raj, who thought you were not acting in strict accordance with that understanding.

"Your difference with him on more occasions than one became so acute that the only alternative before you were either to accept the policy of the Congress or retire from the Assembly. Pressed to accept the draft resolution of the Cawnpore Congress relating to Councils, you eventually agreed to do so if certain alterations suggested by you were accepted. On the final consideration of the draft, the majority of your suggestions were accepted and the resolution thus altered was subsequently passed by the Congress with your full concurrence and strong support.

"In January last you formally joined the party. You say: 'In the matter of Council work, I made my position quite clear in the letter I wrote to the Secretary at the time of joining the party.' That letter is now before me, and I find that it only contains a repetition of the more important principles of the party without any reservations. You said in that letter: 'As I read the rules of the party, I do not think my position is in any way inconsistent with them.'

"It will thus be clear that you secured your election on assurances as binding as any formal pledge could have been, and that you actually joined the party unreservedly. From a gentleman of your great abilities and wide experience of public life it is only fair to expect that you did so after fully realizing the consequences of your action. You say: 'I did so with the best motives in what I considered to be in the best interests of the country and the Congress then, but after the experience of the last eight months I have come to the conclusion that my hopes were not well founded.'

"I have carefully read and re-read your letter but have failed to find anything in it which needed the experience of the last eight months to be realized and was not quite apparent at the time you subscribed to the policy and programme of the Congress.

#### First Complaint.

"I shall now take your points and deal with them 'seriatim.' Your first complaint is expressed in these words: 'The (Cawnpore) resolution was changed in one important particular, at least against my protest in March last, thereby ceasing to be binding on me at all.' I am surprised at this statement coming as it does from an eminent public man and lawyer of your standing. In all well regulated associations of men the resolutions passed from time to time are liable to alteration or rescission as circumstances may require. I am not prepared to concede that such alteration or rescission by a majority against the will of a particular member can under any circumstances set that member free from the obligations he owes to the association to which he belongs. Assuming, however, that you had a right to renounce your allegiance to the party on that ground, you did not choose to exercise that right and deliberately waived it in what you call the interests of discipline. In any case it did not need the experience of six months which have since intervened to bring home to you that a necessary condition of your supporting the (Cawnpore) resolution had been broken.

#### 'Ostensible Object.'

Your next point is that the ostensible object of that resolution, so far as it related to the walk-out has failed to realise. I do not know what you mean by the expression

'ostensible object,' as I only know the real object which was declared by me in no uncertain terms in my speech in the Assembly just before the walk-out. From your next sentence, however, it appears that you regard 'constructive work in the country' as the ostensible object of the walk-out, and complain that it was neither undertaken nor accomplished. If that be so, may I be permitted to ask what help you as a member of the party offered in undertaking or accomplishing that work, and is it open to you to blame your co-workers for an omission for which you were equally responsible with them? You went away to Europe, leaving them to face the music of the Responsivists and other hostile parties, and the first thing you do on your return is to throw them to the wolves.

"The unkindest cut of all, however, is to be found in the sentence: 'The exceptions to the walk-out were so many that it lost all its value.' You know that you were the author of the exceptions, that you pressed them in spite of being forewarned of the very consequences of which you now so bitterly complain. And yet you make it a ground for leaving the party!

#### Remarkable Passage.

"Then comes a passage in your letter remarkable not only for the truth it contains but for the refreshing candour with which it is stated. It runs as follows:—

"The fact that I was not in full agreement with you either at Cawnpore or at Delhi has more than once forced itself upon me, but in my desire to remain with you as long as possible I brushed it aside, until it has become quite clear that to continue as a member of the party is neither fair to you nor to myself. There are certain matters on which my differences with you are almost fundamental."

"May I in all humility ask you at what point of time during the last eight months you made this wonderful discovery? Were you not aware, both at Cawnpore and at Delhi, that you were not in full agreement with me, and did you not, in spite of the knowledge either support me or acquiesce in what I did? If you will pardon my saying so, the real trouble is that in the conditions prevailing in Cawnpore and Delhi you were compelled to act in the way you did, and under what you believe to be the compelling force of the altered conditions prevailing to-day you think you are free to change your tactics."

"Equally remarkable is the next passage in your letter which runs: 'The angle of vision with which we two look at questions relating to matters on which the Hindus and the Muslims differ, is entirely different and often brings us into conflict.'"

#### Conflicting Views.

"This again is a matter which you need not have taken eight months to discover and can hardly furnish any ground for the action you have taken. Our respective views are thoroughly well-known and have formed a subject of discussion between you and me for years past. The wonder is that, in spite of this great difference in the 'angle of vision' with which we look upon the Hindu-Muslim question, you managed to persuade yourself to work with me to the common good of both communities, though the way your own inclinations lay has been an open secret."

"The next passage in your letter is a most characteristic contribution to the electioneering propaganda of the Hindu Sabha. You say, 'Slowly and gradually I have come to share the belief of many other Hindus that the Swaraj party as at present constituted and led is distinctly harmful to Hindus, not so much in the matter of their differences with the Muslims as it is intrinsically in matters between the Government and the Hindus. Walk-out has positively been more harmful to Hindus than to any other class of the community. Assuming that the Swaraj party in the Legislative Assembly consisted of 40 to 50 members, their walk-out has deprived only five or six Muslim constituencies of the services of their representatives, while in the case of Hindus it has deprived the latter of about six or seven times that number. The result is that by the walk-out of Swarajists, elected Hindus are in a much greater minority in the Assembly than they otherwise would be thereby rendering their representation in the Assembly entirely ineffective.'"

"Remarkable indeed must be the 'slow' and 'gradual' psychological progress which at the end of eight months discovered the true proportion of the Hindu and Muslim members in the Legislative Assembly. I am sure you are not doing justice to yourself if you mean to convey that the simple arithmetical calculation you rely upon in your letter in the above passage did not strike you when you gave your assent to the walk-out actually participated in it. It is needless to point out to you that you have entirely missed the real point of the walk-out, though you mechanically participated in it. The Hindu-Muslim question has nothing whatever to do with it. The very next passage

shows that all the time you were acting as a Swarajist you were really thinking as a moderate. You say: "There is a lot of business transacted in the Assembly which mainly affects Hindus and does not so much affect other communities. The Hindu constituencies which returned us are thus deprived of the services of their representatives to a much larger extent than any other class or community has been."

"Without subscribing to the statement made in the first sentence of the above passage, it is only necessary to remind you that the Swaraj Party never undertook to render the kind of services you have in mind. It is only the Moderate or the Liberal who attaches any value to such services in the present condition of India. The task which a true Swarajist has laid out for himself is very different as you must have fully realized before you threw in your lot with him.

"I am afraid you are very much over-doing it when you say: 'I consider this to be a breach of faith with the constituencies and I cannot any longer be a party to such a breach of faith with mine'.

"Every Swarajist has a clear conscience as to how he has kept faith with his constituency to which he promised nothing but a determined stand for full Swaraj. I cannot answer for those who believe that they have been guilty of a breach of faith with their constituencies and only make up their minds after eight months not to continue that breach of faith any longer."

"You make certain remarks about the necessity of our attending the remainder of the present session of the Assembly to take part in certain debates which you think are of 'national importance.' We have now witnessed the end of one of those debates, namely, the Criminal Procedure Code (Amendment) Bill which you call 'an encroachment on the liberties of the people.' In this connexion I have only to call your attention to the speech of Pandit Madan Mohan Malaviya, your present comrade in arms in the battle of India's freedom. He has ungrudgingly given his blessings to the object, the propriety and the necessity of the measure which has since been passed into law with the votes of large number of elected representatives.—I put it to you to say what place a Swarajist can possibly have in company like this.

#### Sabarmati Pact.

"The points I have dealt with above are all compressed in the first paragraph of your letter, which extends over three typed pages, and I have naturally had to devote greater time and space to answer them. The remaining paragraphs of your letter require very brief notice. Para 2—regarding the Sabarmati Pact:—You say it was a mistake not to have confirmed it but have not favoured me with your own interpretation of the terms agreed upon. What was it that, in your opinion, should have been confirmed? If the agreement was as I take it to be, who was in the wrong in not confirming it?

"I am glad to note that on the question of accepting offices your views remain unchanged and trust you will adhere to them at least for some time to come. If those views are sound, as you must believe them to be, the taking of offices in the present circumstances cannot but be detrimental to the true interests of the country. How then can any settlement be "honourable" which sacrifices those interests?

"Para 3, Running the elections by the Congress:—Up to the time you left India you were a stout champion of Congress candidates and put up a brave fight for them in the Hindu Sabha. You do not say what particular incident in the history of the last four months has revolutionised your ideas on the subject.

#### Communal Subjects.

"As for the resolution of the U. P. Provincial Congress Committee you refer to, you are now fully aware that it was the result of permitting a number of non-members to attend the meeting and vote for the resolution. The fraud has since been exposed and the Working Committee of the Congress has refused to look at the resolution.

Para 4, Blocking Legislation by one community:—You know that the resolution of the Working Committee referred to by you was passed in Calcutta in my absence under misapprehension, and is being recognised. As it stands, it only comes to a pious wish that all the Hindu Muslim members of the Legislature will agree not to bring up any communal subject, if three-fourths of the members of either community object to it. Members of the Congress party are asked to do their best to help in bringing about such agreement. You have seen the views I expressed at the Sabarmati meeting of the Working Committee on the subject and have expressed your full concurrence with them.

"Para 5, Freedom of Action in Communal Matters:—The Congress has never refused such freedom and is not likely to do so. There are at present no rules on the subject but the Congress manifesto shortly to be issued will make the position clear.

"Para 6. The honest truth is that at present at least I cannot think on party lines :— The statement would be unexceptionable if, instead of 'party lines,' you had said 'Swara; party lines.' You will agree with me that when it comes to stating the 'honest truth' after proclaiming it as such, one has to be very accurate in the language one employs. That you are to-day thinking on Hindu Sabha and Responsive Co-operationist lines admits of no doubt. I hope therefore you will agree to the small correction I have suggested in your statement of the 'honest truth.'

"These are all the points you have raised. Out of respect for you I have dealt with them as fully as it was possible in a letter. I do not expect you to change your mind in a hurry but am hopeful that 'slowly and gradually' you will find the faith that is in you and proclaim it to the world in no uncertain terms. For when all is said and done the central fact remains that you are as strongly opposed as I am to the taking of offices in the present circumstances. That is the one question which is now proving a stumbling block in the way of all the political parties coming together. The rest can be easily settled as the differences are more apparent than real.

"It only remains for me to thank you for the personal note you have struck in the concluding part of your letter and to assure you that, whatever our differences of opinion may be, it will be my constant endeavour to maintain the friendly relations which have subsisted between us in the past."

## Lala Lajpat Rai's Rejoinder.

My Dear Panditji—, On the 30th of August at about 8 P.M. Lala Girdhari Lal of Amritsar delivered to me your reply to my letter of resignation (bearing date 29th August). The reply is full of insinuations, and inuendoes half truths and misstatements which I cannot let go unnoticed and unanswered.

First 2 paragraphs deal with the circumstances of my letter of resignation and contain the following unwarranted insinuations that while I wrote to you that no copy had been given to press and assured Mrs. Naidu that I was reconsidering my position and would probably withdraw the letter, I actually sent a copy to the "Pioneer" and obtained that journal's approval. The facts are as follows :—I tendered my resignation on the 24th August but took back the letter of resignation from you to make some verbal changes and to get it properly typed after it had been read in the party meeting held that day. On the 25th began conversations between me and Pandit Malaviyaji on one hand and Mrs. Naidu and yourself on the other. On the 26th I sent you the document with a note which you have reproduced in your letter under reply. The same day I consulted Mrs. Naidu and Pandit Madan Mohan Malaviya in the conference room at Hotel Cecil, both being present at the time, if I should give a copy to the press (Mrs. Dumas M.L.A., and others having asked me for it several times). Both of them said 'wait.' I never told Mrs. Naidu that I was considering my position and would probably withdraw the letter. On the 27th I told Mrs. Naidu that I could not withhold my letter of resignation any longer as my act was liable to misconstruction. She raised no objection and I gave a copy to a representative of the "Associated Press" who happened to be there. After that day's conversations were over, I told Mrs. Naidu that in the copy I had given to the Associated Press I had omitted words so as to remove the only offensive expression I had used. She approved of it. I sent no copy to the "Pioneer" nor gave it to any one else. As Mrs. Naidu was on her way to your room I had good reason to presume that she would inform you the step I had taken. The sting in your congratulation on the "Pioneers" comment is only an electioneering tactics. It does not come with good grace from a gentleman who had been the recipient of many praises from that and other Anglo-Indian journals for his level-headed moderate politics in the Assembly. You have followed a course which was a judicious combination of moderation and extremism, a very proper thing to do as was evidenced by your speech relating to the desirability of Indian appeals being decided by the Privy Council in London rather than by an Indian Supreme Court in India and also by your support in the first stages of the Contempt of Courts Bill. Both these actions I presume had the approval of the "Pioneer" and the Government. I would rather avoid introduction of matter which may add bitterness to this controversy and so will say nothing more on this question for the present.

### Distortion of Facts.

Next four paras of your letter deal with the circumstances in which I secured my election to the Assembly and subsequently joined the party. Statements made in these paras and the conclusions drawn therefrom are distortion of facts. You say 'in compliance with your wishes Raizada Hansraj handed to you his resignation from the Assembly'. After



this an understanding was arrived at between you and him that you would support the Swaraj Party in the Assembly and help me in carrying out the policy and programme of the party. This is not the correct statement of what happened. There was no such understanding about the policy and programme of the Swaraj Party either before or after the resignation. In the announcement which Raisada Sahib made in his resignation in the press, he never mentioned it but even if an understanding was arrived at, as you say, after the resignation had been handed, it shows that the resignation was unconditional and that subsequent understanding did not amount to a promise to join the Swaraj Party.

#### Support to Swaraj Party.

As for helping you, you know that I had been doing so all through 1923, 1924 and 1925 even when I did not agree with you in full nor was a member of your party. I carried on conversations with the Labour Government to advance your proposals. I was elected a member of the Assembly on the 9th December. I received the news at Bombay where I had gone to preside over the Bombay Hindu Provincial Conference. You were also there and to the best of my recollection I attended the conference that was being held there between the responsivists and yourself for a compromise. There was no talk of my joining the Swaraj Party. Then came the Cawnpore Congress. You say "pressed to accept the draft resolution of the Cawpore Congress relating to Councils you eventually agreed to do so if certain alterations suggested by you were accepted on the final consideration of the draft. The majority of your suggestions were accepted and resolutions thus altered was subsequently passed by the Congress with your full concurrence and strong support." This statement would be quite correct if you omitted the 'words full and strong'. The speech that I made at Cawnpore is the best evidence of it. But then the question arises as to why you accepted the changes suggested by me if you did not approve of them. However, we will leave this matter here. You have passed over the subsequent delay in joining the Party. The Assembly was opened on the 19th of January and it was not till the 25th of January that I joined the Party.

#### No Formal Pledge.

The terms on which I joined the party are given in the letter which I addressed to you at the time. In the letter under reply you are pleased to remark that it contains repetition of the principles of the party without any reservations. That letter has now been published in the press and I leave it to the country to judge if I have in any way acted against the letter or the spirit of the statements contained therein. I expressly said therein that I believed in Council work and did not believe in wholesale obstruction. Under the circumstances your statement that I secured my election on the assurances as binding as any formal pledge could have been and that I actually joined the party unreservedly is entirely unwarranted. The truth is that you wanted my support and I promised to give it on certain terms. You accepted the terms then, but deliberately violated one of them at Delhi. But you are law in yourself as is proved by various actions you have taken since the elections of 1923 beginning with your manifesto and ending with your acquiescence in Mr. Patel not walking out with you in compliance with the Cawnpore resolution. I personally think that Mr. Patel was right in not walking out and it would have been a breach of faith to compel him to do so after the support the party had given him in his election as such. But you did not think so. Consistency or inconsistency of a certain conduct is a varying item differing with an amount of legal acumen and intellectual cleverness possessed by a man who pronounces on it. The reason why I supported the Cawnpore resolution and subsequently joined the party was that of all parties then existing it was on the whole the party with which I most agreed. Even at Cawnpore I was in favour of eliminating the clause relating to office and thus preventing walk-out of the responsivists from your party but on your insisting on keeping it, I gave in inasmuch as it did not involve any violation of the principles. In the matter of consistency and inconsistency and changes in political practice, I am quite prepared to leave my record as compared with anyone else to the judgment of the people, nor am I ashamed of the lessons I have learnt from experience and consequent changes in my opinions. You say 'in all well regulated associations of men resolutions passed from time to time are liable to alteration or rescission as circumstances may require'. I am not prepared to concede that such alterations or rescissions by a majority against the will of a particular member can under any circumstance set that member free from the obligations he owes to the association to which he belongs. I do not accept the full validity of this principle but whatever validity it does possess lasts only for the period one retains the membership of the association. Otherwise it would be impossible for any man to validly

sever his connection with any association with the decisions of which he did not agree. The whole burden of your criticism lies in the fact that I did not join with you in walking out in spite of the alterations in the resolution made against my wishes at Delhi. I have already said in my resignation letter that I did so with the desire of pulling on with you as long as it was possible for me to do so. You say nothing has happened since then which I did not know or could not know beforehand. You have ignored that this was my first experience of a legislative chamber and I did not know many things which I have learnt since. You are not quite correct about the clause relating to exceptions. It is not right to say that that clause was put in for my sake. I did no doubt support it strongly but so did the representatives of Bengal, United Provinces, Madras and Bombay. They insisted on having that clause. All walk-ins took place in my absence from India and I did not participate in any decision relating to them. I am of opinion that these exceptions should have convinced you that further "walk-out" from the Assembly on the 23rd August was not necessary. I have not advanced the fact of many "walk-ins" as a ground for my resignation, but as against your refusal to attend the Assembly for the consideration of matters which were even more important than those for which permission had been granted.

On page 6 of your letter you remark that "all the time you were acting as a Swarajist, you were really thinking as moderate." If thought is evidenced by action then all I can say is that most of the time your party have been acting in the Assembly and the Councils as moderates while camouflaging all the time that you were not. The whole record of the Assembly proceedings shows that the work of the Swaraj Party in the Assembly was as I have already said a judicious combination of 'moderate' and 'obstructionist' mentality and that was the right thing to do. Yet, in your anxiety to avoid the charge, you have tried to show yourself off perhaps for electioneering purposes as consistent and persistent obstructionist.

#### Hindu Sabha Mentality.

Your observation about my attitude towards the Hindu Sabha are a curious catch—potch of truths and half truths. In one place you condemn or take exception to my Hindu Sabha mentality and point to it with a finger of scorn. You allege that I have said certain things in the letter which are a most characteristic contribution to the electioneering propaganda of the Hindu Sabha. In another place you say that up to the time I left India I was a stout champion of Congress candidates and put up a brave fight for them in the Hindu Sabha. Both these statements are overdone. In the Hindu Sabha I fought for a principle. I stood for Hindu Sabha running no candidates, leaving to different political parties in the country to do so. On the Hindu Sabha platform I made no distinction between one political party and another. As regards the change in my attitude I am not the only person who has found out that it was in an unfortunate moment that we voted for Congress running elections in its own name and by its agency. This opinion is shared by some of the most important members of the Congress. Their list is growing.

Your remark that you 'could not answer for those who believe that they have been guilty of a breach of faith with their constituencies and only make up their minds after eight months not to continue that breach of faith any longer' is only a quibble. The breach of faith is involved in continued absence from Councils and Assembly and the 8 months reference has nothing to do with it. All parties are agreed that the events of the last 4 or 5 months (since the walk-out, though not owing to it) have changed the whole aspect of things in the country and we could not assume the same indifference to work in legislatures now as 'walk-out' in March involved. I thank you for the correction you suggest in my paragraph 6. I would adopt it with a slight alteration. Instead of party lines, I should have said 'such party lines as are laid down by Pandit Motilal' but on the merits of my suggestion I still think that it would be the best to agree that candidatures of some persons should not be opposed to whichever party they may belong.

As for the fling on Pt. Madan Mohan Malaviya for his speech on the Criminal Procedure Code Amendment Bill I am sorry you should have thought it fit to indulge in it. I never asked you or your party to follow Pandit Madan Mohan Malaviya in the Assembly. What I asked you was to attend the Assembly to defend the liberties of the press and the people. What is your own opinion about the Bill? Do you differ from Malaviya on that point and how is your fling consistent with the conversations you are having with Pandit Madan Mohan Malaviya for an understanding? If you have no place in a 'company' like this, then why have you been trying for a compromise with him? As for myself, I have always felt honoured by associating with Pandit Madan Mohan Malaviya. I do not agree with him in all matters. Sometimes I differ from him radi-

cally, but I consider him to be one of the two greatest personalities in the country. The only regret is that you cannot share that sentiment.

The most important fact that has happened since the 'walk-out' in March last was the Sabarmati Pact. The essence of that pact was that the question of offices be kept open in terms of a pact to be decided in the first instance by members of the party in the legislature concerned and afterwards confirmed by you and Mr. Jayakar. When occasion arose, conditions mentioned by you were to be accepted for the purpose of negotiations, but were not binding in every detail, so far as I was concerned. What mattered to me most was your agreement with the Responsivists. I considered and still consider that an agreement to work together is the most essential and most desirable thing to bring about in the interests of the country at the present moment.

In the end let me assure you what I have always acted on 'faith in me' though at times I have felt that faith in me had led me into the paths which I now consider were unpractical in the circumstances of the country. I have always been frank in my statements and hope to be so in future. I am not ashamed of the changes. I am not a 'die hard' in any sense of the term and I do not put my personal opinion over every one else. Let me appeal to you in the best interest of the country not to allow personal bitterness to enter into our political differences. We are fighting for a sacred cause. We may differ in methods, but our goal is same. However apart we may remain we are one in essence and god willing, we shall join hands in many a fight for the good of the country. Let me in all humility tell you that words are sometimes sharper and more piercing than arms and weapons. Wounds caused by the later are easily healed but not so by the others. Let us not use biting language against each other. Let us fight a clean fight, if fight we must. It is with the greatest regret that I part from you and hope, we shall maintain our personal relations untainted by feelings of bitterness."

#### Pt. Nehru's Second Letter.

On the 4th September Pt. Nehru sent a reply to the rejoinder of Lala Lajpat Rai which he concluded as his last unwilling contribution to the unbecoming controversy. The following is the text :—

Your letter of 1st September was handed to me yesterday. It is obviously not in the interest of the cause we both have at heart to prolong this correspondence. I should therefore have remained content with merely acknowledging your letter, had it not been for the fact that you have accused me of insinuation and innuendoes, half-truths and misstatements. I should have thought that if I erred at all, it was in extreme directness of statements I made and am not a little surprised at the classical phrases you have used. I hit straight when I do, though not always as hard as I should. The full texts of our letters have been published and it will be easy for the discerning public to pick out the insinuations and innuendoes, half-truths and mis-statements, wherever they are to be found. I shall only deal with the charges you bring against me in your last letter, though they are hardly germane to your resignation, which is the one subject we are at present concerned with. You have read an insinuation in a simple explanation for the delay that took place in my replying to your letter of 24th August delivered to me on 26th. If you carefully read the second paragraph of my letter of the 29th again, you will see that there is no suggestion that you had actually sent a copy of your letter to the press on or before the 26th. All I then said was that I was informed only on the evening of the 28th that you had handed your letter to the press which was the absolute truth. I made no point of the exact time and relied only on the fact of your letter having been given for publication which made it unnecessary to delay my reply any longer. As for your remark that my reference to the comment of the "Pioneer" was only an electioneering tactics", all I need say is that I do not build my hopes on such a slender foundation. Our own weighty utterances of recent date afford sufficient material to support my election campaign and will be thankfully used when necessary. I am not aware of having received any praises for my "level-headed moderate politics" by Anglo-Indian journals during the last 20 years or more. If you will refresh your memory by looking up back numbers of the journals you refer to, you will, I am sure, find that praise, if any, was given for something else. There are many subjects on which I agree with my European and Anglo-Indian friends but I am afraid, politics is not one of them. It will be a happy day for India when they begin to see eye to eye with me on that subject also.

#### Moderation and Extremism Combined.

You see a combination of moderation and extremism in my speeches in the debates on the establishment of a Supreme Court of Appeal in India and the Contempt of Courts

Bill. It does not strike you that I refused to play to the gallery on those, as I have done on many other occasions. My remarks were based on 40 years' experience of the working of the courts in India and it is only necessary to add that there is not a word in the speeches you refer to that I need withdraw now. Yet have characterised my statement of the circumstances attending your election to the Assembly as a "Distortion of facts". Those facts were stated by me on the authority of Raizada Hans Raj. I have no personal knowledge of them and am open to correction.

But my difficulty is that you have evaded the real issue and do not deny the central facts of my statement, viz., (1) that Raizada Hans Raj resigned at your request to make room for you (2) that there was at some time an understanding between you and him as to your attitude in the Assembly: (3) that differences subsequently arose between you and him and in consequence there was a talk of your resigning your seat in the Assembly; (4) that when alterations in the Congress resolution suggested by you were accepted, all differences were removed. It is possible that I misunderstood Raizada Hans Raj in some particular and if you deny these central facts I will readily accept your denial and humbly apologise to you for my mistake. You do not say that there was no understanding at all between you and Raizada Hans Raj but simply deny that there was any understanding about the policy and programme of the Swaraj Party. You then advance the legal argument that even if there was the understanding mentioned by me after the Raizada tendered his resignation, it "did not mean a promise to join the Swaraj Party and then casually say, "As for helping you, you know that I have been doing so all through 1923, 1924 and 1925." The only inference I can draw from this is that the understanding between Raizada Hans Raj and yourself was that you would help me in the Assembly. It is obvious that the only way in which you could have helped me was by helping the policy and programme of the Swaraj Party. It is therefore clear that whatever were the words used the true intent and meaning were what I stated in my letter of the 29th. You will agree that the help which a member of the Assembly undertakes to give to the leader of a party in that Legislative Assembly is in its nature very different to what an outside critic does in supporting the party generally. Besides, during the years 1923 to 1925, your politics did not follow a uniform course and your hostility to the Congress was ever on the increase. As for the legal argument you have advanced I can only express my surprise at your urging it. In legal phraseology, it can only amount to this that the understanding being 'ex post facto', it was bad for want of consideration, but you forget that though the resignation of Raizada Hans Raj had been tendered, he had set himself up for re-election and that the want of any understanding might possibly have affected his withdrawal from election, which I am informed only took place after an understanding had been arrived at. However that may be, I should have thought that the plighted word of a public man did not need legal consideration to be binding on him. I have been led into these considerations by your legal argument, but as I have said I shall take your denial of the four central facts I have mentioned above as conclusive and throw myself entirely on your mercy. I thank you for the conversations you carried on with the Labour Government to advance my proposals without fully agreeing with me or being a member of my party, but I fail to see what bearing that act of disinterested service has on your resignation, after becoming a full-fledged member of the party.

Mr. Patel Brought in.

You drag in Mr. Vithalbhai Patel into the controversy and indulge in other re-primations which are wholly foreign to the subject of this correspondence and I must decline to enter into them. I cannot, however, pass over your interpretation of my reference to Pandit Madan Mohan Malaviya as a "fing" on him. You know very well that all I meant was that there was no place for any Swarajist in the company of politicians of the school of thought to which Pandit Madan Mohan Malaviya or the elected members who voted for the Criminal Procedure Code (Amendment) bill belonged. There was no personal reflection either on Panditji or others, all of whom are honourable men acting according to their best lights. All the same no Swarajist has any place among them. You are entirely wrong when you say that I do not share with you the sentiments of respect and esteem which you have for Pandit Madan Mohan Malaviya.

It is a course of Indian politics that political opponents allow their personal relations to be affected by their political opinions. I am thankful to say that the curse has not fallen upon me and that I am at this moment in the happy position of counting some of my bitterest political opponents as my best personal friends. As for Malaviyaji, I do not even call him my political opponent, for we are working for the same goal though we have taken different roads to reach it. But while I do not yield to you or to any one else in my

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high regard for the character and personality of Malaviya, the fact remains, that I cannot bear his company on the road he has chosen. I hope and trust that during the long years we have known each other, Malaviya has come to understand me better than you have done. I do not know what is your authority for suggesting that I did not differ from Malaviya in the view he took of the Criminal Procedure Code (Amendment) Bill. I have had no consultation with you, Malaviya, or for that matter, any one else on the merits of the Bill. I remember that I once made a casual remark in his presence and perhaps also yours that the Bill sought to extend the powers already possessed by the Executive. If that observation conveyed the impression that power already vested in the Executive or the further extension of it aimed at by the Bill was right and proper, I can only say that it is thoroughly unwarranted. I see no inconsistency in my agreeing to take part in conversations arranged by Mrs. Sarojini Naidu with Pandit Madan Mohan Malaviya and yourself. There would be no need of such conversations if we did not materially differ with each other. The remainder of your letter contains nothing but special pleading in which I do not wish to follow your example. I am content to have the judgment of the country on what I have already placed before it.

### The Actual Position.

The actual position in regard to the resignation, as I find it to-day, may be stated in a very few words. You first put your decision to leave the Swaraj Party on the ground of experience gained during the last eight months, when I showed in my reply that nothing had happened in this momentous period of eight months which did not know already or could not reasonably have foreseen you. You shifted your ground and pleaded inexperience of the Assembly presumably to justify your inability to anticipate the necessary consequences of your being there as a member of the party.

You were hardly able to adjust yourself to this position, when if I may make a shrewd guess, the phantom of Bradlaugh Hall rose before your eyes and made it impossible for you to hold it, for had you not delivered a great speech in that hall after you had learnt "the many things" which you did not know before entering the Assembly, and had you not in that speech put in a vigorous defence of the policy and programme of the Swaraj party? You felt that the plea of inexperience was of no help at all and quickly retraced your steps, but found no shelter except in the still-born Sabarmati Pact and tried to infuse life into its dead remains. Finally, you blamed even the faith in you as a guide which had led you into unpractical parts. I leave the matter at that. Before I close let me congratulate you on the opinion you have expressed of yourself in the concluding portion of your letter and thank you for the advice you have so kindly given. But let me remind you of the old saying that "example is better than precept."

This is my last unwilling contribution to the unbecoming controversy started by the publication of your letter of resignation. I am not yet aware that your second letter has been published in the press. If I see it in the papers, later on, I shall send this letter also for publication.

## The Independent Congress Party Formed.

The efforts at a compromise with the Swaraj party made by Pandit Madan Mohan Malaviya having failed, an informal meeting of prominent Congressmen from the Punjab, United Provinces, Central Provinces and Bengal and prominent members of the Responsive Co-operation party from Bengal, Maharashtra, Bombay, Central Provinces and Berar was held at the Birla House, Delhi on the 11th and 12th September 1926. Those present on the first day included Pandit Malaviya, Lala Lajpat Rai (Panjab), Mr. B. Chakravarthi, Mr. D. P. Khaitan, Mr. Ranglal Jajodhia and Mr. S. C. Bhattacharya (Bengal), Mr. Raghavendra Rao, Dr. Moonji, Dr. Cholkar, and Mr. Aney (C. P.), Raja Sir Rampal Singh and Pandit Hridayanath Kunzru (U. P.) and Mr. B. Das (Orissa). Mr. Jayakar, the leader of the Responsive Co-operation party attended the meeting on the second day.

Pandit Motilal Nehru did not attend the Conference, but sent through Messrs. Girdhari Lal and Asaf Ali, replies which he had received from a number of prominent Swarajists in response to his recent message communicating the terms of Pandit Malaviya for the United Congress party. The replies received were all confidential, but it appeared that Pandit Motilal's party wanted both Responsivists and Independent Congressmen to sign the Congress pledge and thereby enable the forthcoming elections to be run by one united party leaving the question of policy and programme to be adopted in the legislatures for decision by the Assam Congress in December. This reply from Pandit Motilal was considered by the conference as forming no basis for an expected fusion of all parties. The conference, therefore, proceeded to discuss the coalition between Responsivists and Independent Congressmen.

After a prolonged deliberation it was decided to form a central board consisting of the members of both parties which would shortly define a common policy and undertake to run candidates for the elections to the Assembly and provincial legislatures. Lists of candidates proposed for Bengal, United Provinces and one or two other provinces were then examined and some alterations made. Final discussion as regards both policy and selection of candidates was held on the next day, the 12th September when after seven hours' discussion, at which Mr. Jayakar and Mr. Joseph Baptista were present, it was resolved to form an Independent Congress Party as a separate organisation within the Congress. The Responsive Co-operation Party was to fully co-operate with it at the forthcoming elections to legislatures, though continuing to function independently wherever it existed, namely in the Central Provinces, Bombay and Bengal. The following resolutions were adopted :—

## RESOLUTIONS.

"Whereas the opinion of the country in matters political has undergone a considerable change since the Indian National Congress held its session at Cawnpore, and whereas the general trend of opinion seems to be opposed to the policy of uniform, continuous and consistent obstruction in the legislatures, and whereas the said policy of wholesale obstruction has failed to bring about the expected result and has led the Swarajya Party into futile and harmful paths, and whereas the policy of walk-out has been a complete failure, and whereas the present executive of the Indian National Congress is not prepared to call a special session of the Congress to obtain the mandate of the country on the questions now agitating the public mind, and whereas all efforts made by Pandit Madan Mohan Malaviya to arrive at harmony and unity between the two wings of the Congress have failed, and whereas, under the circumstances, the only course left open to such members of the Congress as do not agree with the Swarajist policy and programme is to form themselves into a separate party within the Congress with a view to (a) obtain the mandate of the country at the forthcoming elections to the legislatures, and (b) to obtain the mandate of the Congress at its next session at Gauhati.

"It is hereby resolved that a party to be called the Independent Congress Party be formed of those members of the Congress who do not agree with the policy and programme laid down by the Congress from time to time in respect of work within the legislatures ; (2) that the policy of the party

will be to work the legislatures, defective though their constitution is, for all they are worth and using them for accelerating the establishment of full responsible Government and for protecting and promoting in the meanwhile the interest of the people and strengthening their power of resistance to injustice and misrule; (3) it will be open to this party to accept offices provided the power, responsibility and initiative necessary for the effective discharge of their duties are secured to the Ministers, sufficiency of such power, responsibility and initiative being decided by a majority of the members of the party within the legislature concerned; (4) this party will work in full concert and co-operation with the Responsive Co-operation Party leaving, however, that party further to function independently wherever it exists; and (5) in all cases of council discord it will be the duty of the members of this party to bring about reasonable agreement between the contending sections; but, in cases, where such an agreement is not approved every member of the party will be free to vote in the legislature in any manner he may think right and proper".

Prominent members of the Responsive Co-operation Party who were present at the discussion expressed their willingness to fully co-operate with this party and in token thereof will join as members of that party after a resolution to that effect is passed by the Executive Committee of their party.

### The Cause of the Breakdown.

Pandit Motilal Nehru, before leaving Delhi on his election campaign sent the following to the Associated Press. With reference to the negotiations between Pandit Malaviya and himself which, however, had broken down, the Pandit said :—

"There were informal conversations at Simla, between Pandit Madan Mohan Malaviya and Lala Lajpat Rai on the one side and Mrs. Naidu and myself on the other, to explore the possibility of an understanding to run the elections on a joint ticket. No such understanding could be arrived at, but as I was leaving Simla on the 4th September to start the election campaign at Meerut, certain suggestions were made by Pandit Madan Mohan Malaviya which I agreed to communicate to some of the prominent members of my party to ascertain their wishes. It was understood that the election activities on either side were not to be affected. Accordingly, I wired to various provinces and opened my election campaign at Meerut on the 4th September under the mandate of the Cawnpore Congress without any reference to the suggestion of Pandit Madan Mohan Malaviya on the action I had taken. By the time I arrived in Delhi on the 9th, replies to my telegrams had been received. These were shown to Pandit Madan Mohan Malaviya on his arrival on the 11th. He was informed that having regard to the nature of the replies and my opinion about his suggestions, no useful purpose could be served by continuing the conversations. I have received several enquiries on the subject and have come to know that there has been slackening of election work on the part of the Congressmen on account of these conversations. I am sorry that this has been so and take this opportunity to request all Congressmen to apply themselves to the work before them with their usual energy and assiduity. No compromise has been arrived at or is likely in the near future".

## THE PARTY'S MANIFESTO

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### The Party's Manifesto.

The following is the manifesto of the Independent Congress Party issued from Allahabad on the 28th September 1926 :—

"Whereas the opinion of the country in matters political has undergone a considerable change since the Indian National Congress held its session at Cawnpore, and whereas the general trend of public opinion seems to be opposed to the policy of uniform, continuous and consistent obstruction in the legislatures, and whereas the said policy of indiscriminate obstruction to the extent it was followed has failed to bring about the desired result and has led the Swaraj Party into futile and harmful paths, and whereas the policy of the walk-out has been a complete failure, and whereas the present executive of the Indian National Congress is not prepared to call a special session of the Congress to obtain the mandate of the country on the question now agitating the public mind, and whereas all efforts to bring about harmony and unity between the two wings of the Congress have failed and whereas under the circumstances, the only course left open to such members of the Congress as do not agree with the Swarajists' policy and programme is to form themselves into a separate party within the Congress with a view (a) to obtain the mandate of the country at the forthcoming elections to the legislatures and (b) of the Congress at its next session at Gauhati as regards the policy which should be pursued by the representatives of the people in the legislature, it is hereby resolved (1) that a party to be called the Independent Congress Party be formed of those members of the Congress who do not agree with the policy and programme laid down by the Congress at Cawnpore in respect of work within the legislature; (2) that the policy of the Party will be to work the legislatures, defective though their constitution is for all they are worth and to use them for accelerating the establishment of Swaraj or full responsible government and for protecting and promoting, in the meanwhile, the interests of the people and strengthening their power of resistance to injustice and misrule; (3) that it will be open to this Party to accept office provided the power, responsibility and initiative necessary for the effective discharge of their duties are secured to the Ministers, the efficiency of such power, responsibility and initiative being decided by a majority of the members of the Party within the legislature concerned, subject to such general conditions as the All-India Executive of the Party may lay down; (4) that this Party will work in concert with the Responsive Co-operation Party leaving, however, that Party free to function separately wherever it exists; (5) that in all questions of a communal character, it will be the duty of the members of this Party to promote a reasonable agreement between the contending sections. Where such an agreement is not arrived at, such member of the Party will be free to act in the legislatures as he may consider best in the interest of the community to which he belongs".

### The Nehru—Malaviya Negotiations.

In view of the breakdown of the negotiations between Pandit Malaviya and Pandit Motilal Nehru, resulting in the formation of an Independent Congress Party, it will be interesting to know the details of the terms proposed by Pandit Malaviya for acceptance by the Swarajists. The terms run as follows :—



## TERMS OF PT. MALAVIYA'S OFFER.

"(1) In provincial legislatures, no member of the Congress Party will accept any office under the Government unless the Government release or bring to trial those who are detained in prisons under the Bengal Ordinance and unless the other conditions for the acceptance of offices are considered satisfactory by a majority of the elected members of the party in the legislature concerned and approved by a Central Committee of the party of not more than 9 members.

"(2) The policy to be pursued by the Congress Party in the Council will be one of utilising the Councils for securing an early establishment of responsible government in India and for protecting and promoting in the meanwhile, the interests of people so far as this can be done under the present defective constitution, i. e., a policy of discriminating obstruction.

"(3) In the Central Legislature, the policy to be followed will be the same as that laid down in para 2 with this addition that until the national demand is granted to emphasise the Congress Party's continuing protest against the existing constitution and its insistence on the national demand, the party will throw out every year the item of the budget relating to the Executive Council of the Government of India. Here Pandit Malaviya adds: 'I think it may be possible further to agree to throw out the Finance Bill as a protest against the existing high expenditure of the Government until that expenditure is brought down to what the party considers reasonable. When this can be done without injury to the interests of the people of the country at least, I will try to bring about an agreement if it can unite the two parties'.

"(4) When an agreement is not arrived at on any communal question every member of the party will be free to vote as he may think right and proper.

"(5) Candidates will be put up as Congress candidates.

"(6) A joint committee to revise the names of candidates for election to the Legislative Assembly and the Councils, the committee to consist of Pandit Motilal, Mr. S. Srinivasa Iyengar, Mr. T. Prakasam, Pandit Malaviya, Mr. Jayakar, Lala Lajpat Rai, Mr. B. Chakravarthi and Mrs. Sarojini Naidu".

## Pandit Motilal's Statement.

Apropos Pandit Malaviya's statement, Pandit Motilal Nehru issued the following statement to the Associated Press on the 15th September:—

"I am surprised to see that the details of the terms proposed by Pandit Madan Mohan Malaviya for acceptance by the Swarajists have been published in spite of an understanding that the conversations held at Simla were to be treated as strictly confidential. The various press messages which preceded the publication of these terms created the impression that there was to be a further meeting between the Responsivists and the Swarajists in Delhi and that it was wrong on my part to leave Delhi on the very day of the meeting without attending it. As these messages, taken with the publication of a part only of the conversations, are calculated to prejudice the public mind against the Swarajists, I am no longer bound by the understanding referred to above and must put all the facts before the public.

At the very first meeting at the Hotel Cecil in Simla, I made it quite clear to Pandit Madan Mohan Malaviya and Lala Lajpat Rai that I regarded

two points as essential; (1) that there was no question of accepting offices without some advance being made by the Government and (2) that the conditions upon which it would be possible to accept offices should be clearly specified in writing and not left to any committee. I also insisted that such conditions should be widely published. Pandit Madan Mohan Malaviya and Lala Lajpat Rai thought they could not accept these essentials without a reference to Messrs. Jayakar, Kelkar and others which they promised to make by telegraph or telephone without delay. Meanwhile, it was agreed to discuss the conditions which should be fulfilled before acceptance of offices. I was ready with these conditions and at once handed copies of a typed draft to those present. This draft ran as follows. The essential conditions are :—

### I. — GENERAL.

(1) The general principles and policy laid down in resolution 7-B. passed by the Cawnpore Congress shall be adhered to.

(2) Substantial compliance with the national demand contained in the resolutions passed by the Assembly on the 18th February, 1924 and 8th September, 1925 shall be insisted on.

### II. — PROVINCIAL COUNCILS.

(3) No office under the Crown shall be accepted by any member of the Party unless and until the Government agrees to take the following or other steps having substantially the same or similar effect. (a) The release or trial according to law of all political prisoners who are at present detained without being tried and convicted in due course of law; (b) the repeal of all repressive laws; (c) the removal of all disqualifications now imposed on persons who have served the sentences passed on their conviction of any offences for standing for election to elected bodies in the country; (d) the abolition of non-official nominations to membership to the Councils and throwing open the seats of nominated non-official members to election; (e) giving ministers full control over the Transferred departments subject only to the Governor's constitutional right of veto and making the ministers fully responsible to the legislature in the administration of their respective departments; and (f) fixing a minimum proportion of the revenue of the province for the development of nation-building departments under the charge of ministers without imposing additional burden on the people.

(4) Until the Government agrees to take the steps mentioned, the Party in every provincial legislature shall be bound to resort to a policy of refusal of supplies in the manner and to the extent that may be decided upon at a party meeting.

### III. — THE CENTRAL LEGISLATURE.

(5) The Party in the Assembly shall, until there is a sufficient response to the national demand as contained in the resolutions of the Assembly referred to above, (a) resort to a policy of refusal of supplies and put it into operation in the manner and to the extent that may be decided upon by a meeting of the Party; (b) throw out all legislative measures which tend to curtail the rights of the people; (c) move resolutions and introduce and support measures and bills which are necessary for the healthy growth of national life and the advancement of the economical, agricultural, industrial

and commercial interests of the country ; and (d) generally protect the rights of labour, agricultural and industrial, and adjust the relations between landlords and tenants and capitalists and workers.

#### IV. — SUPPLEMENTARY.

(6) The Party shall adhere to the Lucknow Pact until there is a general agreement between Hindus and Mussalmans to abandon or modify it.

(7) No Bill, motion or amendment relating to any communal matter shall be moved by any member of the Party in any legislature, if a majority of three-fourths of the Hindu or the Muslim members of the Party in the said legislature are opposed to the introduction of such bill, motion, or amendment.

(8) If any such bill, motion or amendment of a communal character is moved by a member of the legislature not belonging to the Party, all members of the Party, shall have full freedom of speech and vote.

(9) Constituting a Committee to determine what is and what is not communal.

At an early stage it was agreed to delete the first paragraph which had reference to Civil Disobedience as it did not properly come within the Council programme. The remaining conditions were discussed at two or three subsequent meetings, but no agreement was arrived at and eventually the conversations were dropped as Messrs. Jayakar, Kelkar and others did not agree to the publication of all the conditions. When at Mahasu, taking a few days rest, I was asked by Mrs. Sarojini Naidu on the telephone to spare time for a final talk with Pandit Madan Mohan Malaviya on the afternoon of the 4th September, just before leaving Simla, I agreed and met Malaviyaji in the Assembly building at 2 p.m. He then dictated the terms now published to a friend. I told Malaviyaji that he knew my opinion, that the conditions for acceptance of office must be clearly laid down and I pointed out to him the impossibility of a general revision of the lists of candidates at that stage. Thereupon, Mrs. Sarojini Naidu suggested that I might consult some of the leading Congressmen on Pandit Malaviya's suggestions to which I agreed. Accordingly, I sent the following telegram to a number of friends in the United Provinces, Bengal, Central Provinces, Bombay, Maharashtra and Madras and promised to let Malaviyaji know their replies :—

#### Text of Pandit Nehru's Telegram.

" Pandit Madan Mohan Malaviya offers the following terms of compromise :—

" Provincial Legislature—Firstly no acceptance of office unless Bengal detenués released or tried and such other conditions fulfilled at a Joint Committee of nine consisting of four Swarajists, four Responsivists and the Congress President may determine. Secondly, adoption of a policy of discriminate obstruction. Thirdly, the same Joint Committee to revise the list of candidates already nominated. Fourthly, liberty to vote on communal questions unless members of both communities agree. Fifthly, all candidates to be put up as Congress candidates.

" The Central Legislature :—The policy of discriminate obstruction and throwing out the budget demand relating to the Executive Council as a

protest against no response to the national demand. Pandit Malaviya also considers agreement possible to throw out the Finance Bill where the interests of the country do not suffer. Please wire your independent opinion to Hotel Metropole, Agra by 8th at the latest. I reserve my opinion till your reply. Please consider the bearing of these negotiations on our relations with Mussalmans and the advisability of entertaining these proposals, at this stage without prejudice to our election campaign."

All replies were received by me before the 10th and I sent them to Pandit Madan Mohan Malaviya for his perusal asking him to treat them as confidential. On reading them, Pandit Malaviya said that it was no use carrying on the conversations any longer, but desired to have my own opinion on his suggestion. This I conveyed to him by my letter of the 11th September which has since been published in the press. I was never asked to attend any meeting or take part in any consultations with the Responsivists and the Independents. My programme, giving the time and date of my departure from Delhi as the morning of the 12th had been published a week before and I left Delhi accordingly without receiving any suggestion from any quarter to postpone my departure.

These facts should be read with the terms now published by Pandit Madan Mohan Malaviya. It will be clear that I was anxious all along not to repeat the history of the Sabarmati Pact and insisted on the conditions for acceptance of office not only to be clearly stated, but also widely published. This was not acceptable to Pandit Malaviya and his friends and the negotiations came to an end. When Pandit Malaviya made his suggestions on the 4th which are now published, I gave my reply to him then and there and the reference to my friends was made at the suggestion of Mrs. Sarojini Naidu to find out their views. I undertook to show the replies to Malaviyaji as a matter of courtesy and I fulfilled my undertaking. The Responsivists are at liberty to make such election capital as they like by publishing a part only of the negotiations. It will, however, be clear to the public that after the unfortunate differences which arose on the true interpretations of the Sabarmati Pact the position I took in regard to the publication of the conditions of taking office was the only reasonable one. As regards the revision of lists by a committee, the Congress had at the time approved the nominations of about 400 candidates for the Assembly and the various Councils and the candidates so approved had begun their election campaign. In some Provinces, the last date for filing the nominations was the 15th September. It will thus be seen that the general revision of the lists suggested by Pandit Madan Mohan Malaviya was wholly impracticable. In case the other terms were agreed to, I was willing to find places for selected men from the Pandit's Party in the Assembly and also in the various Councils. All those I consulted were unanimously opposed to any general revision of the lists. My proposal was, therefore, the only reasonable course to be followed in the circumstances".

#### Pandit Malaviya's Statement.

In a statement to the press on the 17th September Pandit Malaviya denied the responsibility for publication of the terms of compromise between the Swarajists and Responsivists and said that he never gave a copy of the terms to any press representative, nor did he authorise anyone to publish

them. He admitted that the conversations carried on between Pandit Nehru and himself were certainly confidential and they should not have been published as he was all along of opinion that to publish the terms upon which the United Congress Party should be willing to accept the offer would be untimely and impolitic; but he maintained there was no justification for the insinuation made by Pandit Motilal that the Responsivists desired to make election capital by publishing only part of the negotiations.

Proceeding, Pandit Malaviya said that at the end of the first stage of the conversations at Simla, they came to the conclusion that there was no hope of a compromise. He agreed that the final talk on the subject with Pandit Nehru on the 4th September and the last effort at unity proposed the terms which had been published. In conclusion, Pandit Malaviya said that, in his opinion, if there was a will to compromise, it would not have been difficult to find a way for it.

### The Punjab Leaders' Manifesto.

The following manifesto was issued in the beginning of November 1926 under the signatures of many members of the Punjab Provincial Congress Committee and other Congress workers in the Punjab :—

" Pandit Madan Mohan Malaviya and Lala Lajpat Rai are two amongst the most prominent personalities in our country. Their association with the cause of the Congress is a life-long one. By their continued efforts to propagate its aims and ideals, they have both earned for themselves a unique position in the hearts of the people. The signatories of this manifesto in common with the public have on various occasions expressed deep appreciation of their services in the fight for the freedom of the country. We take this opportunity to reiterate our respect and regard for both Malaviyaji and Lalaji.

" But it is with feelings of pain, we find that for sometime past the activities of both these respected leaders have been such as to retard the progress of the struggle for the liberty of the motherland. The result of their energies lately has been the spread of a spirit of hostility between the different sections of the people. Instead of the high aim of one nation, they have become votaries of the cause of communalism. It is with sorrow that we have to refer to these matters. But we do so in the hope that before long our revered leaders may realise the error of their ways and begin to carry on the battle of Swaraj under the banner of the Indian National Congress alone.

" The latest present to the country by Pandit Malaviya and Lala Lajpat Rai is the formation of the Independent Congress Party. We are constrained to say that the new party is undesirable not only in the manner of its creation but its objects are also against the interests of the country. It has been started at a time when it was the duty of every Congressman to carry on faithfully the mandate of the Cawnpore Congress and to offer a united front to the Government. Lala Lajpat Rai himself supported the resolution in the Congress in Cawnpore, and subsequently participated in the walk-out decided upon in Delhi by the All-India Congress Committee. It was expected that he would continue to follow the policy in the adoption of which he had a prominent hand. But he has preferred to act differently. No arguments have been advanced as to why the changed course is taken up now. No

Incidents have happened in the country which support his contentions. The Government has shown no signs at all of responding to the wishes and demands of the Congress and the Assembly. On the contrary in every possible way the Government is taking advantage of the differences in our camps. The campaign of communalism carried on by both the great leaders and their followers has not only caused bitterness between the two great sections of the people but has also resulted in numerous bloody feuds and fight. The life of no man is safe. The spirit of uneasiness and anxiety has affected the trade of the country considerably. Where unity and goodwill prevailed some years back there is discord and bad-blood. We are emphatically of opinion that besides other causes the main responsibility of the present state of affairs lies on the shoulders of these two leaders. It may be construed from this that the prominent men amongst the Mahomedans are free from blame in these matters. We condemn equally strongly the activities of Dr. Kitchlew and Ali Brothers, Sir Abdur Rahim and others who have fanned the fire of communalism in this unfortunate country. The cry of Hindus versus Mahomedans is most reprehensible. We consider such a propaganda very dangerous and poisonous. The sooner this evil is rooted out from amongst us the better it would be. But it will never be done along the road pursued by Lalaji and Malaviaji.

"Who does not know that for years Malaviaji has not agreed with the plans and policy of the Congress? He is temperamentally differently constituted. He has honestly followed his own ideas and views of slow and constitutional methods. But it is a surprise to us to see Lala Lajpat Rai, the avowed apostle of extremism go hand in hand with Malaviaji. Why is this done? How long will the combination last? These are questions which the public is asking. Up till his leaving from Geneva Lalaji was of opinion that the Congress is the only supreme body that should run the elections. After his return to India we find a sudden change in his views. He is not sure yet if Hindu Sabha alone should run elections. It may be perhaps that to so declare would mean a too pointed and awkward position for him to take up and totally inconsistent with his oft-repeated decisions to the contrary. The general impression is that as usual with Lalaji he brooks no opposition. He wishes to have the sole control of the elections somehow. The result is the strange combination of Lalaji with Malaviaji and Raja Narendra Nath which is neither milk nor water. The wisdom of a known reactionary, coupled with the sagacity of a deep and law abiding constitutionalist, combined with the waning ardour of the comrade of Tilak who abhorred all such compromises, will decide the fate of the people in our ill-fated province. The "Bandematram" was loud in criticising a recent action of the Provincial Congress Committee for the association of a gentleman in the address to Sir Michael O'Dwyer. What an irony of fate that Lalaji who is the power behind the "Bandematram" now openly declares it fit that the fortunes of the candidates for the coming elections should be decided by one who was amongst the originators, if we are not mistaken, of the famous address to the fountain head of the cruelties of Martial Law days in the Punjab. Necessity knows no law. Nemesis has no mercy. We have to examine this "Trinity" critically. Raja Sahib is too good-natured and is never taken seriously. Malaviaji not likely to be in the Punjab, having to fight his battles in his own province. The only guiding hand left therefore is Lalaji, and this is exactly what the "Lion" aimed at and has achieved so wonderfully. All

this is done in the name of democracy. Such a propaganda besides weakening the national cause strengthens the hands and power of the Government in various ways.

"Let every well-wisher of the country consider these matters carefully and see for himself whether the lead given under such combinations of heterogeneous matters can ever be fruitful for the country. Lalaji was offered a seat in the Election board by the P.B.C.C., in which he disdained to work. Why? Because therein no single man can do what he likes. He was offered to have the whole machinery of the Congress under his charge which he refused if his terms of either summary dismissal or lowering of the positions of some of the most prominent workers of the Congress were not agreed to. Now the attempt is being made indirectly to get what was directly offered to him. For the ways and means to gain his object Lalaji has to resort to the procedure followed by the Government in crushing one of the finest set of sacrificing workers, the Akalis. Even the name has been borrowed. The Government put up men to start the "Gurdwara Sudhar" Committee. Lalaji finds people to create the Congress "Sudhar Committee." We hope the upshot of the latter will not be that of the first as it would be such a keen disappointment to the founders of the "Sudhar Committee." We deprecate strongly the methods adopted by this latest "Sudhar Sabha."

"Capital is made of the dignity of the Congress having been reduced. Every institution is the result of the energies and work of its component parts. If the very limbs of the body begin to decay, naturally there will be lowering of activity. But does it lie in the mouth of those who themselves begin to work against the ideals of the parent body and decry it in season and out of season though outwardly keeping up their past attitude, to now turn round and complain about the state of affairs which is of their own creation? The whole responsibility is theirs alone. All credit to the few humble workers who in spite of great odds against them still kept aloft high the flag of the National Congress.

"Why are the founders of the Independent Congress Party afraid to stand on their own legs? The attitude of the responsivist friends in not joining the new party is honourable and clearly understood. They are fighting on the merits of their cause. Unlike the new party they do not need the cloak of the word "Congress" to get support to their views from the public. The new party being a shadow only needs the sun of the "Congress" word to lighten its dark and fleeting constitution. What difference is there now between the ways and means of this latest still-born child of the Congress and those of our moderate friends, whom one of the founders of the former wrongly characterised as "traitors" to the country. The composition of the new party is also peculiar. Such persons are flocking to its banner who never had the courage to stand by the nationalists in their hours of trial when they were unselfishly braving all the hardships and rigors of the non-co-operation campaign. Let the people beware of such rigmartole permutations and combinations.

"Great stress is laid on the point of ability and reliability of the candidates to be proposed and to be supported. We can't imagine if there was ever any time when we did not need the best men in Councils when we meant business. What is the significance of this new slogan is beyond our comprehension. In our views it is another hoax perpetrated on the public. Perhaps only such persons who are acceptable to Lalaji are "able and reliable"

and not the rest. It is an open secret that Lalaji and his group have decided to oppose some of the most reliable, tried and able workers of the Congress in the name of the above cry of "reliability and ability." We shall leave it to the people to judge for themselves whether the candidates put up by the Congress or the new party bear this test.

"In the end we would earnestly request the public not to be led away by big names and new cries. The Congress, the creation of the best minds of the country, sustained with the blood and sacrifices of the martyrs for years, is the only and supreme body—capable of giving a real fight to the Government. Swaraj Party is admittedly the only strong, compact body which had led successfully in the past the battles of the nation. Friends, gather together under the banner of the Congress and thus prove to the world that true ideals is what you are after and not great personalities. As long as the spirit is untarnished—enthusiasm, courage and sacrifices are our watch-words— we need never despair even if we have to carry on the burden of the fight on young shoulders. Young men of the country are the backbone of the nation".

## The Akali Leaders' Case.

The long drawn out Akali leaders' case, which had been dragging on before the court of a special magistrate, first at Amritsar and later inside the Fort at Lahore for three years, at last came to an end, the Punjab Government having decided to withdraw the prosecutions against the remaining undertrial prisoners, now that the Central Gurdwara Board, for which the Sikh Gurdwara Act provided, has been duly constituted.

The following announcement was made by the counsel for the Crown in the Akali leaders' case before the special magistrate on the 27th Sept. 1926:—

I am instructed by the Government, with your permission, to withdraw from the prosecution and I have been directed by the Government to make the following statement regarding the reasons for withdrawal. When the Sikh Gurdwara Act was passed the Punjab Government announced that as soon as the Central Board for which the Act provided had been duly constituted by the election of representatives, the notifications directed against the Shromani Gurdwara Prabandhak Committee and the Akali Dal, under the Criminal Law Amendment Act, would be withdrawn. The Board has now been constituted and the notifications have been withdrawn. The prosecution in the present case, which has been under trial before a special magistrate for sometime past, have largely been connected with certain aspects of the activities of these associations which the Government has held to be unlawful, and now that a constitutional body has been duly instituted under the statute to deal with the management of gurdwara property, the Local Government have decided to withdraw from the prosecution of the accused still remaining before the court."

This marks the end of a long chapter of the struggle between the Akalis, the Mahants and the Government for the reform of the Sikh Gurdwaras.

It is interesting to recall that 59 Akali leaders were arrested in September 1923 at Amritsar and that, after preliminary trials, 21 were acquitted and the remaining 38 charged with various offences under the Penal Code. They stood their trial for more than two years before the court of special magistrate. Some months ago 23 leaders, including Sirdar Bahadar Mehtab Singh, were released on their giving a verbal undertaking that they would not take direct action in future in the matter of Gurdwara. This action



## RESULT OF GENERAL ELECTION

of the leaders was strongly criticised by the Extremist Sikh Press, as well as by a section of non-Sikh Press, and a controversy raged over this subject till very recently, when Sardar Bahadar Mehtab Singh's party were defeated during the elections to the Central Gurdwara Board, and the Akali Dal came into power with the election of Sardar Mangal Singh as President of the Board. Of the remaining 15 Akali leaders, who refused to recognise any sort of undertaking, written or verbal, Sardar Teja Singh Samandri died in jail, and the remaining 14 leaders continued to be prosecuted although several appeals were made in the meanwhile to the Government by Sikh members in the Punjab Council. The Punjab Government had given a hint sometime back that, as soon as the Central Gurdwara Board, which was a constitutional body under the Gurdwara Act had been duly constituted, the notifications which declared the S. G. P. C. and the Akali Dal to be unlawful associations would be withdrawn. This was done only a little over a week ago, and prominent Akali leaders outside were expecting the release of the remaining under-trial leaders.

The news of the withdrawal of the prosecution of the Akalis, was therefore hailed with great joy. They said that their struggle with the Government, unfortunate as it was, had happily ended from this date so far as the management of Gurdwara property was concerned. Many offered their sincere congratulations to the Governor for his statesmanlike and just action. Among the 44 leaders who were released on this day was Sardar Kharak Singh, whom the Akalis regarded as their jathedar, or foremost leader.

## Result of General Election.

In the general election that followed the dissolution of the 2nd Reformed Councils in December 1926 the Swaraj party scored a signal success in Madras as there they fought against class domination. Their success in Bengal was due to the repressive policy of the Government. Not much importance could be attached to the Congress success in Bihar and Orissa as most of the men who were returned were frank Responsivists though they had been elected on the Congress ticket. The co-operation of the No-Changers contributed considerably to the success of the Congress candidates. In fact, it will hardly be fair to call the Bihar Congressmen Swarajists except in the technical term. In the C. P., U. P., and the Punjab the Swarajists were almost routed. In U. P., they lost all the Hindu seats for the Assembly except that of Pandit Motilal Nehru whose election was not contested. In the Punjab no Hindu or Muslim Swarajists succeeded for the Assembly. The Sikh Swarajists were not Swarajists at all, because they had signed the Sikh League Pledge before they signed the Congress Pledge. They were primarily bound by the former. In the C. P. the Swarajists secured only one seat, in Bombay and Sind they had only two. Coming to the Provincial Council, they had only two members in the Punjab both of whom were elected by a narrow majority. The President and the Secretary of the Punjab Congress Committee were defeated by overwhelming majorities. One of them forfeited his security. In U. P. their number went down from 31 to 19 and in C. P. from forty four to fifteen, while in Bombay they were reduced to eleven.

# The Tide of Communalism.

## The Hindu-Moslem Riots.

Since the Kohat Riots of September 1924 the growing Hindu-Muslim tension took a very serious turn in July 1925 when a trouble arose between the two communities out of the celebration by the Muslims of a festival usually known as the Bakr Id which fell this year on the 2nd July.

The principal places affected were Delhi, Calcutta and Allahabad. In Delhi, the Muslims had for long been accustomed to lead the sacrificial animals along a particular route called the Pahari Dhiraj route. In 1924, owing to the dangerous state of communal relations, this route was closed by the authorities and no animals were taken along it. It was recognised, however, that such a restriction was felt by Mohammedans to be irksome, and, therefore, the local authorities announced that the route would be open on the occasion of the Bakr Id festival this year. Negotiations were undertaken by certain Hindus and Muslims of Delhi with the object of coming to an amicable agreement. However, owing partly to the attitude of certain fire-eaters on both sides, the negotiations broke down and the authorities had even to arrest a number of leading agitators of the two communities. The tension by the beginning of July had become very acute, and there was an appreciable exodus of Hindus to neighbouring places and until after the festival. On the actual day, elaborate police and military arrangements were made. Police pickets, both mounted and foot, were posted at appropriate points and armed policemen were stationed on housetops commanding the route. A squadron of cavalry patrolled the city and there was a small detachment of British Infantry in the danger zone. Owing to these precautions the day passed quietly in Delhi.

Calcutta, however, was less fortunate, for there a riot occurred between Hindus and Muslims near Garden Reach. It was alleged by the local Hindus that a cow was slaughtered in front of a Hindu house, whereupon large numbers of men of both communities assembled with sticks and stones. About three hundred Mohammedans and six hundred Hindus are said to have been concerned in the affray. Thirty-eight Muslims were admitted into hospital, of whom one died immediately after admission, while others remained in a precarious condition. Another riot took place during the Bakr Id celebrations at Humnabad in the dominions of the Nizam of Hyderabad, about 40 miles away from Gulbarga, where a very severe communal riot had taken place the year before. At Allahabad the authorities took special precautions against communal disturbances. Shortly before the celebrations, British and Indian troops marched through the city and the police strictly enforced an order issued by the District Magistrate regulating the size of sticks which might be carried during the festival. Later in the month there were Hindu-Muslim riots in Rangoon and at a small place called Patdi near Ahmedabad, where it was alleged that a Hindu boy had been taken away by certain Mohammedans for sacrifice. The better known Mohammedan celebration of Muharram fell at the end of July necessitating once more extraordinary precautions by the authorities in various places. Happily, no serious disturbances were reported during

the ceremony. In Lahore, the capital city of the Punjab, an unpleasant situation seemed to be developing during the greater part of July between the Hindus and Muslims owing to rumours which were current there that Hindu boys were being systematically kidnapped by Pathans. However, wise and timely action on the part of the District Magistrate and Senior Superintendent of Police, who conducted immediate enquiries into all reports of kidnapping and took the leaders of the Hindu community into their confidence by showing them the results of their enquiries and associating them in these enquiries, revealed the utter lack of foundation for these reports, and the anxiety of Hindus died down.

On August 1st 1925, in the famous town of Panipat, not far from Delhi, what would undoubtedly have been a very bloody communal riot was averted by the plucky action of certain magistrates and police officials of the Karnal district in which Panipat is situated. A Muharram procession was proceeding through the main bazar of the town when it was met by a large mob of Hindu Jats estimated to number not less than one thousand, who had armed themselves with staves, scythes, pitchforks and other weapons. Some of the Jats are said to have climbed on to houses in the Bazar, taking stones with them. The Muharram procession was speedily reinforced by large crowds of Muslims armed with sticks. The local Magistrate and Deputy Superintendent of Police, with 15 or 20 constables, had forced themselves in between the rival mobs. At this point the District Magistrate and the Superintendent of Police arrived from Karnal. The Superintendent took charge of the small body of police and at once charged and dispersed the Jats.

Very significant features of the Hindu-Muslim rioting, which took place subsequently are its wide distribution and its occurrence, in some cases, in small villages. Calcutta, the United Provinces, the Central Provinces and the Bombay Presidency were all scenes of riots, some of which led to regrettable losses of life. Certain minor and local Hindu festivals, which occurred at the end of August, gave rise to communal trouble in Calcutta, in Berar, in Gujarat in the Bombay Presidency, and in the United Provinces. In some of these places there were actual clashes between the two communities, but elsewhere, notably at Kankinarah—one of the most thickly populated jute mill centres of Calcutta—serious rioting was prevented by the activity of the police. In Gujarat, Hindu-Muslim feeling was running high in these days and was marked by at least one case of temple desecration. The Important Hindu festival of Ramlila, at the end of September, gave rise to acute anxiety in many places, and at Aligarh, an important place in the United Provinces, its celebration was marked by one of the worst riots of the year. The riot assumed such dangerous proportions that the police were compelled to fire to restore order, and five persons were killed, either by the police or by rioters. At Lucknow the same festival gave rise at one time to a threatening situation, but the local authorities prevented actual rioting. October saw another serious riot at Sholapur in the Bombay Presidency. There, local Hindus were taking a car with Hindu idols through the city, and when they came near the mosque, a dispute arose between them and certain Muslims, which developed into a riot.

In the beginning of April 1926 a fierce and deplorable rioting took place in Calcutta. It started in an affray outside a mosque between Muslims and some Arya Samajists and continued to spread until April 5th, though there was only one occasion on which the police or military were faced by a crowd

which showed determined resistance, namely, on the evening of the 5th April, when fire had to be opened. The firing was strictly controlled and did not exceed the barest requirements of the situation. It was significant that the bulk of the press had no complaint against the firing, some newspapers even declaring that a severer handling of the situation by the police had been called for. Apart from this incident, the rioting was confined to sporadic street fighting and isolated attacks. There was also a great deal of incendiarism and in the first three days the Fire Brigade had to deal with 110 fires. An unprecedented feature of the riots were the attacks on temples by Muslims and on Mosques by Hindus, which naturally led to intense bitterness. There were 44 deaths and 584 persons were injured. There was a certain amount of looting and business was suspended, with great economic loss to Calcutta. Shops began to re-open soon after the 5th, but the period of tension was prolonged by the approach of a Hindu festival on the 13th of April, and of the Id on the 14th. The Sikhs were to have taken out a procession on the 13th, but Government were unable to give them the necessary license. The apprehensions with regard to the 13th and 14th of April, fortunately, did not materialise and outward peace prevailed until the 22nd April when it was abruptly broken as a result of a petty quarrel in a street which restarted the rioting. Fighting between mobs of the two communities, generally on a small scale, accompanied by isolated assaults and murders continued for six days. During this period there were no attacks on temples or mosques and there was little arson or looting. But there were more numerous occasions on which the hostile mobs did not immediately disperse on the appearance of the police and on 12 occasions it was necessary to open fire. The total number of casualties during this second phase of the rioting was 66 deaths and 391 injured. The dislocation of business was much more serious than during the first riots and the closing of Marwari business houses was not without an effect on European business firms. Panic caused many of the markets to be wholly or partially closed and for two days the meat supply was practically stopped. So great was the panic that the removal of refuse in the disturbed area was stopped. Arrangements were, however, made to protect supplies, and the difficulty with the municipal scavengers was overcome as soon as the municipality had applied to the police for protection. There was a slight extension of the area of rioting, but no disturbances occurred in the mill area around Calcutta. Systematic raiding of the portions of the disturbed area, the arrest of hooligans, the seizure of weapons and the reinforcement of the police by the deputation of British soldiers to act as special police officers had the desired effect, and the last three days of April, in spite of the continuance of isolated assaults and murders, witnessed a steady improvement in the situation. Isolated murders were largely attributable to hooligans of both communities and their persistence during the first as well as the second outbreak induced a general belief that these hooligans were hired assassins. Another equally persistent feature of the riots, namely the distribution of inflammatory printed leaflets by both sides, together with the employment of hired roughs, encouraged the belief that money had been spent to keep the fight going. The Calcutta riots, have, unfortunately, greatly aggravated the communal tension. This new intensification of communal antagonism has found full expression in subsequent meetings of the Khilafat Committee and the All-India Mahasabha. The Khilafat Conference on the 9th May, decided to change its

creed. In future, while keeping in view the aim of ridding the Holy Places and Jasirat-ul-Arab of non-Muslim control, it will promote the welfare of the Muslims of India in matters religious, educational, social, economic, and political. A resolution was also passed at the Conference calling upon Khilafat organisations to safeguard the lives and the property of Indian Muslims and to render them all material and moral support including the conduct of cases in courts. Feeling ran so high at the Khilafat meeting that when a member referred to Hindus as "brethren," there was an outburst from a considerable section of the audience who demanded the withdrawal of the word "brethren" and objected to its application to "Kafirs." On the other side, the working committee of the A. I. Hindu Mahasabha, which met at Delhi on the 10th May under the Chairmanship of Raja Narendra Nath condemned as utterly unwarrantable and unjust the attacks made by certain Muslims upon the procession of Arya Samajists, upon Hindu and Sikh temples and Gurdwaras and upon unoffending Hindus. The Committee also attributed the outbreak in Calcutta to the inflammatory utterances of certain educated Mussalman speakers and publicists (From India in 1925-26.)

### The Rawalpindi Riots.

After the second phase of the Calcutta Riots in April, another riot of a serious nature took place at Rawalpindi on the 14th June 1926. The following statement was issued by Raja Narendranath and Dr. Gokal Chand Narang who visited Rawalpindi on the 16th June on behalf of the Lahore Hindu Sabha :—

The news of a serious riot at Rawalpindi in which many casualties had taken place and property of considerable value belonging to Hindus and Sikhs had been destroyed owing to incendiaryism by the rioters was received by us on the morning of the 16th. We left for Pindi on the evening of the 15th, and reached there on the morning of the 16th.

As far as we were able to ascertain facts, it appeared to us that the whole trouble arose from the recent demand of our Muhammedan fellow countrymen about music before mosques, a demand which has received encouragement from the recent one-sided order of the Government of Bengal. For sometime past a storm was brewing over the erection of a cinema behind the Jumma Musjid of the city, which we also saw in course of our visit. Over the land owned by Sardar Mohan Singh, President, Municipal Committee, a Sikh gentleman has built a Cinema to which Muhammedans objected on the ground that there should be no place of amusement or public entertainment in the vicinity of a mosque. The Sardar naturally paid no heed to this unreasonable demand of the Muhammedans. Feelings had been aroused by speeches delivered by some Mullahs and Muhammedan public men at public meetings during the last three weeks or so. On the 13th of June in celebration of a Guruparb a procession of the Sikhs passed in front of the Jumma Musjid with ordinary music. In taking the procession through the streets and not stopping the music before the mosque, the Sikhs were acting in conformity with law. It was stated before us that whilst nearly the whole of the procession had passed and only the tail end of it was in front of the mosque, some brickbats were thrown by Muslims at the women who formed part of the procession; but, on the Sikhs' remonstrance, the mischief-mongers dispersed and nothing untoward happened there. On the 14th a Dewan was held in the Singh Sabha. In course of the day, a Muhammedan is said to have come to the Singh Sabha and given a challenge for the Sikhs to take out a procession again and see the consequences. The Sikhs replied that they would take out the procession, only on another Garu Parb day. In the evening whilst the Dewan was being held some Muhammedans gathered outside the Singh Sabha and molested the visitors. Some Sikhs arrived outside the Singh Sabha Gurdwara and there was an altercation between them and the Muhammedans which resulted in a fracas, but as far as we were able to ascertain no one was killed or seriously wounded there.

A band of Muhammedans, possibly reinforced by those who had taken part to the quarrel before the Singh Sabha, went to the Grain Market and set fire to the shops. The

extent of the fire supports the allegations that petrol was freely used in setting fire to the shops, etc. The police prevented the owners of the shops and houses in the market from having access to the property and doing what they could to save it. Fire Brigade was not procured to extinguish the fire, with the result that it went on unchecked and caused much tremendous loss of property. Serious allegations were made as to the complicity of the subordinate police with the incendiaries; but until the evidence on this point has been properly collected and examined, we refrain from expressing any opinion about them at the present stage. The extent of the fire and the enormous damage done, however, lend strength to the complaint that the police did nothing to prevent the arson. It may be noted that an overwhelming majority of the police consists of Muhammadans.

Information obtained from various sources leads us to believe that on the 14th crowds of Muhammadans armed with 'lathis' and hatchets were collecting in different parts of the city and there was an unusual influx of the villagers to the town. The police did not make adequate arrangements to prevent the tragedy. Up to the 15th the number of casualties known was 14 killed (Muhammadans 11, Sikhs 2 Hindus 1) and about 80 wounded.

It is difficult to estimate the value of the property destroyed. It has been stated to range between two crores and three crores. It certainly amounts to lakhs and lakhs. Many flourishing merchants have been utterly ruined. It was reported to us that goods were taken away in lorries to neighbouring villages and no one interested and no efforts are being made to recover the looted property.

We heard conflicting accounts as to where the casualties took place. It appears that the fracas before the Singh Sabha was a minor affair and that probably a number were killed whilst committing arson by the resident owners or by owners who had access to their properties, whilst others were wounded or killed by way-farers of the opposite creed. We are unable to apportion the number of casualties to the various places where conflicts occurred. The whole misfortune is due to the extreme communal sensitiveness of our Muhammadan fellow countrymen, which assumes new forms and makes new demands amounting to encroachment on the liberty of their fellow citizens. The situation is apparently quiet, but feeling runs high and the danger of recrudescence is not over. It is, therefore, desirable that military pickets should be continued and section 144 enforced for some time longer.

Since our return a similar tragedy has occurred at Saidpur where several Hindus have been murdered and a large number of Hindu and Sikh shops and houses burnt. The need of taking prompt and adequate precautionary measures is obvious. Flying columns of cavalry sent round within a radius of fifty miles of Pindi, will not be out of place.

## The Pabna Riots.

The Pabna riots can be divided into two main categories. One pertains to occurrences in the town of Pabna following: the discovery by the Hindus of broken images on the 1st July and the other relates to attacks on Hindus' person and property in villages and mofussil towns in the Pabna district following the occurrences in Pabna town on July 1.

In Pabna town there was a Hindu procession on the evening of July 1, a fracas in front of a mosque and an alleged invasion of town by Moslem crowds from villages and mobrule for about two days thereafter during which it was said the Hindus lived in terror within doors and stray cases of assaults on Hindus took place. The Commissioner and the Deputy Inspector General of Police arrived at Pabna with reinforcements on July 3. As far as Pabna town was concerned a moral situation could be said to prevail from July 4. An order under Section 144 Cr. P. C. prohibiting carrying of "lathies" and assembly of more than 5 persons was however in force. About 13 Hindus and amongst them prominent citizens were arrested on charge of causing grievous hurt and rioting.

Since the occurrence of July 1 rumours spread in villages and mofussil towns of Pabna district that Hindus of Pabna wantonly attacked a mosque and desecrated it. In consequence Moslem feelings were excited and angry crowds of Moslems marched from village to village and town to town inciting local Moslems to attack persons and property. The authorities commenced to receive at Pabna from the 2nd instant reports of looting and attacks on Hindus. Investigation of the first reports showed that they were unfounded and that there had been no attacks up to the 3rd instant, but from the 4th instant attacks on Hindus' persons and property in the mofussil centres commenced and continued incessantly till the 8th instant, when firm action by the authorities in sending reinforcements arresting rowdy elements and resorting to fire

(on four occasions) began to have a quietening effect. About 280 Moslems were arrested up to the morning of the 11th instant in the mofussil areas. Barring a few cases of attempted looting, no serious case of attack was reported since the 9th instant.

An attempt to trace the communal activities of the two communities showed that the Moslems had an organisation known as the Anjuman Islamia which was established several years ago but which, it was said, was not functioning until recently when the communal rivalries in the matter of representation in public services and local bodies became acute. This body was said to own allegiance to Sir Abdur Rahim.

On the Hindu side, a branch of the Hindu Sabha was established about 1921 or 1922 and it was claimed, it concentrated chiefly on the removal of untouchability. There was no communal or anti-Moslem propaganda traceable to the Hindu Sabha or the Hindu leaders. There was in June a Hindu Conference presided over by Pandit Shyam-sunder Chakaravarty but the proceedings were in no way communal. The Conference adopted a resolution protesting against restrictions on music before mosques; but, it was not a live issue as far as Pabna was concerned, although since then the Hindus claimed that music was always played before the mosques and the Moslems that music was always stopped before the mosques.

The Calcutta riots, however, appeared to have intensified the communal tension in Pabna. Both the Hindus and Moslems followed closely the reports of the riot occurrences and developed communal antipathies. The Calcutta riots were accompanied by the desecration of a number of Hindu images in the Pabna district in centres like Serajgunge, Ahmedpur, Salop and Faridpur. The culprits were detected in only one place and that was at Salop where a Moslem was fined Rs. 50. The report of desecration of images embittered Hindu feelings and there was much agitation in the Hindu mind. After the Calcutta riots, an Arya Samajist was said to have visited Pabna and made communal speeches.

On the other hand, it was alleged, that the Moslems issued inflammatory leaflets reviling Hindus and inciting Moslems to violence, and that efforts were made to secure the sacrifice of a large number of cows and in as open a manner as possible. The Hindus also alleged that in the last year criminal assaults on Hindu women had increased considerably.

The incident occurred in the following way:—Hindu images were found broken near the house of Sj. Jogendra Nath Maitra, a leading Hindu citizen of Pabna and the semindar of Sitlai. The images were discovered at about 8-30 a.m. on the 1st July. Of the images, three were of Sashti, one of Kali and the other of Saraswati. The images had been taken from three different places in the Pabna town and placed near Sitlai Babu's house. Intimation of the discovery was sent to the leading Hindus and three of them consisting of Sitlai Babu, Mr. I. J. Mazumdar, the chairman of the Municipality and Kahiraj Srish Chandra Vidyaratna complained of the desecration of the images to the Sub-Divisional Officer and at 10 a.m. the District Magistrate and the S. D. O. visited the place where the images were found. The Sub-Divisional Officer, it was said, suggested that the images should be in police custody to be produced as exhibits when the culprits were found. This suggestion was opposed by the Hindus on the ground that it would be an outrage on their religious feelings. They claimed that the images should be immersed in the river. The District Magistrate, agreed to the proposal about immersion and only suggested that the immersion be done unostentatiously especially as Sitlai Babu's house near which the images were found was situated on the bank of the river Padma.

The news of the discovery of the broken images spread in the city and the Hindus of Pabna visited the scene of discovery in numbers and the prominent amongst them conferred as to what should be done. One view was that the images should be immersed unostentatiously without any procession and another view was that not only the broken images but also other unguarded images in the town should be immersed after being taken in procession. The Hindu images, came under two categories; one in which the images were worshipped daily and the other in which the images were renewed yearly to be worshipped only once in the year on specific occasions and was kept to be immersed when the time came for renewing it. The Hindus held that the images which were worshipped only on specific occasions and were placed in thatched sheds or other kutcha structure were unprotected and by that reason invited sacrilege and that in view of the desecration that had taken place it would be better to immerse them before any harm was done. It was also decided that the Hindu shop-keepers should observe a hartal for the day.

A procession started from Sitlai Babu's house at about 6 p.m. with the broken images in the midst, a Sankirtan party in front and some drummers accompanying it. The Hindus were positive that the Hindus who accompanied the procession were all

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unarmed and also barefooted as a mark of mourning. This the Moslems denied and this was supported by police testimony according to which, it was said, lathis were carried. About 3,000 would be approximately the correct estimate of the crowd that accompanied the procession.

The procession which started at about 6 p.m. reached that part of the bazar where the fracas of the day took place at about 7 p.m. Before reaching this place it passed along two mosques with music without any objection. The Moslems claimed that no objection was raised to the music as it was not then prayer time. The scene of the fracas was on a basar road in which the Moslem shop-keepers chiefly tailors abound. The processionists entered the road by another route which abuts into that road in the middle, near which was a mosque. A free fight took place at this juncture in which a section of Moslems who were in the alleged mosque and the front section of the procession took active part. One Moslem was wounded by a dagger. A few Moslems and Hindus were hurt. Brickbats were freely used. The Moslems used "lathis" while the Hindus made use of logs of fire-wood which were lying near by. While the fracas was in progress, the District Magistrate and the Superintendent of Police arrived on the scene, restored order and the procession terminated without any untoward incident by about 7-30 p.m. after the images were immersed. The Moslem view was that considering the route taken by the procession and the large numbers that accompanied it, the processionists had come prepared for a fight and to provoke one. The Hindus alleged on the contrary that the Moslems had premeditated the fracas.

In this connection, the Hindus dispute the title of the place in front of which the fracas took place, to be called a mosque. Inspections showed that a passage leading from the bazar road led to a small open space behind the shops adjoining which there was an oblong shed with thatched roofing, bamboo fencing and cemented floor. There were no facilities in the place for ablutions nor were there any sacred books or other articles kept excepting a few mattresses said to be used by Moslems when offering prayers. According to the Moslem view one batch of shop-keepers had offered their prayers and another batch commenced offering their prayers. The batch that had concluded the prayers asked the processionists to stop music and the melee started.

The news that the Hindus had wantonly attacked a mosque and desecrated it spread immediately to the neighbouring villages. The Hindu procession terminated at 7-30 p.m. By 9 p.m. it was said thousands of Moslems advanced with lathis and other weapons and poured into the Pabna town. The Hindus shut themselves in their houses, and it was said, the Moslem crowd roamed through the streets of Pabna reviling at the Hindus and threatening reprisals. Large Moslem crowds gathered round Sital Babu's house and openly shouted that they wanted his life and that of Mr. Ranjit Lahiri and other prominent Hindus. Sital Babu had license for arms and was prepared, to defend himself. The crowds were however persuaded by the officials to disperse; armed police patrolled the streets. According to the Moslem view which found favour with the officials, on the 2nd instant the crowds from surrounding villages, made an attempt to enter Pabna but were prevented from doing so by persuasion and other means. According to the Hindus, the Moslem crowds invaded Pabna on the next day armed with lathis and continued to be in possession of the streets assaulting the few Hindus who ventured to come out on this day. About seven to eight cases of assaults of Hindus and amongst them of some leading men took place on the 2nd instant. On the 2nd, an order under Section 144 was passed prohibiting carrying of lathis and assembly of more than 5 persons but it was said it was obeyed and enforced only in the case of the Hindus. The Moslem crowds melted away on the 3rd as soon as the higher officials and reinforcements arrived. Looting in mufassil areas commenced on the 4th. The leading Hindus did not attribute any motive to the District Magistrate or any official for resorting to persuasion instead of rigid enforcement of Section 144. But there was a strong feeling that Section 144 should have been enforced on the Moslems as it was enforced on the Hindus and that omission to do so encouraged the Moslem crowds to transfer the field of their operation from the town to the villages.

## The Allahabad Riot.

Two people were killed and 27 were injured during a Hindu-Mahomedan riot which occurred on the 12th September in the Chowk, the centre of Allahabad city. The disturbance arose during the progress of a Hindu procession on the occasion of the Dakhando festival which usually takes place eight days after the Janmastami.

The Dakhando procession was timed to leave Kydganj at 4-30 p. m., but owing to rain, the start was delayed by about a quarter of an hour, with the result that it



reached the Clock Tower in the Chowk shortly before sunset. This was the principal danger point in the route of the procession, as near the Clock Tower there was a mosque facing the vegetable market. It was thought desirable, in order to avoid a disturbance, that the procession should pass this mosque before sunset. The alternative was to keep the procession waiting at the Clock Tower until after the sunset prayers. It was a dark and cloudy evening, and therefore it was impossible to observe the setting of the sun. Various watches and clocks in the city had, however, been synchronised with a view to avoiding any misunderstanding with regard to the actual time. Fifty armed policemen were drawn up in front of the mosque in order that the procession should be stopped, if necessary. Mr. Crosthwaite, the Collector and District Magistrate, and Mr. Hollins, the Superintendent of Police, and other officials and a number of sowars were on duty near the tower. When the procession reached the Clock Tower, the District Magistrate was informed by a Mahomedan Honorary Magistrate, who came down from the mosque, that there was exactly 20 minutes left before sunset. It was therefore decided that the procession should be hurried past the mosque before the evening prayers began. Nearly the whole of the procession had safely passed the mosque, and the rear ranks were being pushed forward and there was still five minutes in hand, according to the time given by the Honorary Magistrate already referred to, when a number of Mahomedans in the mosque began pelting the procession with stones and other missiles. This caused a panic and general confusion for a time, but the police and other officials present were soon able to restore order. The punitive police patrols, posted in the city owing to the June disturbances, effectively assisted in this duty.

### The Dacca Riot.

A strained communal situation prevailed in Dacca on the 8th Sept. over the Janamasthami procession which were to be taken out later in the day, along routes where a number of mosques were situated. A dispute between the two communities had been in progress during the last few days over questions of the route to be followed by the processions, and the stoppage of music before mosques. Mahomedans insisted that music should be stopped before mosques and the Hindus asserted that they would follow custom and would take their processions to the accompaniment of music along the entire route.

A section of Mahomedans decided to boycott the processions, withdrawing Mahomedan labour and trade, usually associated with the processions. Picketing was started to enforce the boycott by about a thousand students who enrolled as volunteers.

In the Narindia quarter of the city there was a free fight between the Mahomedans and Hindu Volunteers with lathis and brickbats resulting in four volunteers being wounded. The Superintendent of Police proceeded to the affected area with a strong force, and brought the rioters under control. A number of Mahomedans, and two volunteers were arrested. An Armed force was posted to guard Narindia throughout the night.

Later in the day the Janamasthami procession of the Nawabpur Party which was accompanied by music passed off smoothly under a strong police and volunteer-guard. There were, however several stray cases of assault at some distance from the route of the procession. Shortly after the procession had started a number of men attacked Hindu pedestrians with daggers at Islampur, near to the Nawab's residence and inflicted injuries.

Cases of assault and free fight in the streets continued up the 18th when the situation became normal. A large number of shops were opened in the morning. Up to this day 172 arrests were made, 35 being Hindus. Over 70 people were reported to have been injured, of whom about 46 were admitted in the hospital. About 16 guns were seized by the police from Hindus and Mahomedans in different quarters.

### The Delhi Riots.

The report of the Police Administration in the Delhi Province for 1926 shows that there were 5 true cases of rioting in Delhi. A serious riot occurred on the 24th June, when a large number of Hindus had collected in and round Naya Bana and Khari Baoli owing to a false rumour that a sacrificial cow was to be taken through Naya Bana Bazar, a prohibited area. Efforts were made to convince the crowd that there was no truth in this rumour, and the assemblage was beginning to decrease in number when confusion was caused by an unmanageable tonga pony. Such was the state of nerves that this confusion developed instantly into a fierce communal riot which lasted for some 20 minutes, in the course of which 69 persons were injured (including 11 policemen) and 3 killed on the spot or fatally wounded.

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Another riot occurred on the 27th August, caused on this occasion by the abusive language of a bad tempered Bank Chaprasi to members of a Mahomedan firm with which the Bank had dealing. The verbal quarrel turned to blows and in a very short time a general riot was raging in the Chaudni Chowk. The riot was promptly suppressed. Three Mahomedans and 12 Hindus were originally sentenced to two years' rigorous imprisonment and a fine of Rs. 500 each.

As the result of an appeal to the Sessions Court 6 Mahomedans and 2 Hindus were acquitted, while in the case of the remaining four Mahomedans and 10 Hindus the fine only was reduced to Rs. 50 each without any alteration in the sentence of imprisonment. The appeal to the High Court resulted in the acquittal of 2 more Mahomedans and 2 Hindus. In the case of remaining 2 Mahomedans and 3 Hindus the fine of Rs. 50 each was upheld, but the sentence of imprisonment was set aside in the case of 2 Mahomedans and 7 Hindus and the term of imprisonment in the case of 1 Hindu was reduced to 6 months.

### The 3rd Phase of the Calcutta Riot.

The following are extracts from the report of the Calcutta Police Commissioner on the communal riots in Calcutta from the 11th to the 25th July 1930. The main disturbances during the period related to the Rath Jatra procession at Paikpara, Rajrajeswari procession at Burrabazar and the Muharram procession. After describing the incident of the disturbances, the Commissioner described the measures taken to quell the riots and the help rendered by the military authorities. Casualties showed 28 deaths, (20 Hindus, 8 Mahomedans) and 226 wounded, (94 Hindus and 132 Mahomedans.) There were numerous cases of assault on the Police officers and men, but fortunately the injuries were in no case very serious.

From the fact that a large proportion of the disturbances took place during the holding of religious processions, it is self-evident that numerous conflicts between large bodies of opposing communities occurred and that the police were frequently faced with the necessity of immediately dispersing large crowds of persons who were keyed up to the highest pitch of religious and communal frenzy. In these circumstances, the only effective means of dispersing the mobs and avoiding more serious conflicts was to resort to the use of firearms. The first instance of firing by the Police was on the 15th July during the Rajrajeswari procession. The Police were forced to open fire four times in one day, the result being one man killed and several wounded. During the Rath procession, ten rounds of ammunition were fired with the result that four Mahomedans and two Hindus were wounded. On three other occasions, the Police had to fire to disperse the crowd. On the 21st July, during the Muharram procession the Police had to fire eight times with the result that three men were killed and 13 wounded. The Commissioner states there can be no question that firing was necessary in all the above instances and in each case, it was both sufficient to secure the object in view and at the same time strictly limited to the necessities of the situation. There were four instances of shooting by members of the public, in which two men were killed and five wounded.

With reference to the attitude of the Indian Press, the Police Commissioner says :— "After the April riots it was hoped that a better spirit and a greater sense of responsibility would develop among the editors of the Indian Press; but this hope was not realised and journals of both communities continued to display a regrettably hostile spirit. The inflammatory articles which were published by both communities were greatly to be deplored and there can be little doubt that they contributed materially to the maintenance of the tension which led to the July riots. The disturbances in the Pabna District furnished ample material for bitter communal criticism and the Government were compelled to undertake a number of prosecutions for the articles. In this connection, 18 prosecutions were sanctioned. In ten of these cases, the offending journals were Hindu and three were Mahomedan. There is at present an improvement in the general tone of the vernacular press; but it is difficult to say whether this is due to the above prosecutions or to the absence of rioting or other materials for communal criticism. Experience of the July riots has shown, however, that any communal disturbance in Calcutta are almost certain to be accompanied by a flood of inflammatory articles in newspapers of both the contending factions and during the riots a number of new journals were started which are definitely communal in tone. Ordinary law clearly provides no adequate check for the suppression of publication of this character and its limitations in this respect are manifestly fully appreciated by the offending journals."

As to the dislocation of business caused by the riots, the Commissioner states the effect on wholesale business was more material and the present riots have still farther

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postponed readjustment of the dislocation caused by the previous riots. The small dealers are not prepared to carry large stocks of goods and bigger merchants are, therefore, saddled with such heavy stocks that they do not feel justified in ordering further supplies. This fact was clearly brought out at a meeting of the Marwari Chamber of Commerce on the 28th July when it was decided that no Marwari merchant should order supplies of piece-goods for a period of four months under pain of serious penalties.

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### Govt. Communique on 'No Music Before Mosque'.

The following resolution was issued by the Government of Bengal on the 6th June 1926 :—

It is only in recent years that the controversy about music before mosques has become important in Calcutta. This subject is now attracting a great deal of attention, and, in fact, it was the immediate occasion of the disturbances in April, 1926. On the 17th May His Excellency the Governor convened a conference unsuccessfully to arrive at a conclusion which would be acceptable to both the Hindu and Mahomedan communities. In dissolving the conference His Excellency expressed a hope that the two communities would, after mutual discussion, be able to agree and inform him of their agreement. This hope has not been fulfilled.

In matters of religion the Government maintain an attitude of strict neutrality, and only intervene when the claims of one community clash with those of another, and when the persistence in mutually incompatible claims threatens to endanger public peace. Such a situation now exists, and it is necessary, therefore, for the Government of Bengal to announce, with as much detail as the circumstances of the case permit, the nature of the orders which will hereafter be enforced in Calcutta in this respect.

After referring to the law giving authority to the Commissioner of Police for regulating music at processions in Calcutta, the Resolution says :—

It was arranged at the conference on the 17th May that written statements regarding the personal experience of those who are acquainted with this subject should be received and considered by the Government. A large number of statements have been received, and they have been carefully considered. The Hindu community claim that music is an essential part of their religious observances, and is, therefore, a necessary feature at all their religious processions. They have claimed the right and asserted the practice of playing music before mosques without hindrance at all hours of the day. The Mahomedan community consider that music disturbs the devotions of those who are at prayer in mosques, and they claim the right and assert the practice of the stoppage of music before mosques at all hours of the day, and not only on the occasions of public worship.

There is, therefore, a definite conflict of statements as to the actual practice in the past, and it is clear to the Government that this conflict is largely due to the fact that very recently the subject has not attracted much attention in Calcutta, and the two communities have generally been prepared to accommodate one another. These conditions no longer prevail, and circumstances have arisen which make it necessary for the Government, in the fulfilment of their responsibility for the preservation of the peace to arrange for a clearer definition of the instructions which will in future be observed by those conducting processions in Calcutta.

The terms of the licence will remain unaltered ; but, in order to prevent uncertainty, it will be necessary in all doubtful cases for the Commissioner of Police to ascertain and lay down for the guidance of those conducting the procession what are the hours of public worship.

The Government interpret the word, "public worship" as meaning recognised congregational worship, and are not prepared to admit a claim which has been put forward that the time of public worship extends throughout the day. In the case of mosques the hours of the five recognised Mahomedan prayers will be specified. In other respects the Commissioner will, according to the law, be guided by the requirements of the public peace and convenience with due regard to established practice. In all cases it has not been established to the satisfaction of the Government that the general practice has gone beyond the terms of the licence. At the same time the Commissioner of Police will retain the fullest discretion to secure compliance with such orders as he may give in

accordance with the law. If, however, a particular procession exercises its privileges in a manner which is calculated to give offence that procession and others will incur the risk of having its privileges curtailed in future. On the other hand, the Government do not intend that such restrictions as may be imposed on those conducting Hindu processions shall be extended on account of the demand made by Mahomedans for the imposition of further restrictions. The Government have given special consideration to the case of the Nakhoda Mosque in Chitpore Road, and have decided that, in consequence of its size, importance and situation, an exception to the general rule will be made in the case of this mosque, and that all processions passing it at any time of the day will, when doing so, be required to stop their music.

These orders relate only to Calcutta. In other places different conditions have resulted in the establishment of different practices, and such practices will not be modified as a result of these orders.

The existence of this dissension is a matter of serious concern to the Government of Bengal. It is, in their opinion, damaging to the reputation of the people of Calcutta for good citizenship, and it is the earnest wish of His Excellency in Council that at an early date the two communities will show greater readiness to meet one another's wishes and will thereby restore the amicable relations which until quite recently have subsisted between them.

#### Feeling in the Mofussil.

The Government of Bengal, in a communique on the state of communal feeling in the mofussil, state:—It is true that during the past two months an intense state of anxiety has prevailed in many districts, especially in Eastern Bengal; that both Hindu and Mahomedan communities have been upset by rumours which they have heard, and that there are resultant feelings of irritation and distrust which constitute a danger to public peace. But it is also true that during this period there have been very rare occasions in the whole of the wide area affected in which a breach of the peace has occurred.

While the Government do not minimise the insult to religious feeling which is implied by the destruction of images, the public should be careful not to over-estimate the significance of many of those incidents. In numerous cases they have attracted far less attention in the places where they have occurred than they have done in the Press. There is abundant evidence of the success of the joint efforts of Hindus and Mahomedans in preserving peace and restoring confidence.

Instructions have been given to District Magistrates to reply promptly to requests to verify stories which are referred to them for verification by editors of newspapers. If hereafter false rumours are published in the Press without enquiry the Government will act on the assumption that those who publish them had not reasonable grounds for believing in their truth.

#### The Calcutta Hindus' Protest Meeting.

To protest against the above Government communique a mammoth public meeting of the Hindu citizens of Calcutta was held at the Town Hall on the 4th July 1926. The hall was fully packed and five overflow meetings were held outside. The Hindus evinced tremendous enthusiasm and were unanimous in their opinion that the Government's action was illegal and that it seriously interfered with their legitimate rights and, if occasion arose, they would not only disobey the illegal order but would even face death in the carrying out of their rights.

Mr. J. N. BASU in course of his presidential address, after reviewing the inter-communal relations in Bengal in the past and after recalling the recent events leading to the present situation, said that the communique issued by the Government of Bengal laying down the rules as to the playing of music before mosques in and about Calcutta, caused universal surprise amongst the Hindus. In strange contrast to the decision of the Govt. of Bengal stands out the decision of the Privy Council which is the highest judicial tribunal so far as the British Indian Empire is concerned. After quoting the reported decisions in the matter, the speaker said that it would thus appear that the

law required that the religious sentiments of the adherents of one creed who use a public highway, should not be over-ridden in order that the religious sentiments of another creed, worshipping in a place on the roadside, might not be ruffled. In the communique which the Government of Bengal has issued, it has ignored the function of an Executive Government. The Executive has to uphold the law. The upholding of the law may be unpleasant to certain individuals or communities, but the Government has no option. It has to see that the requirements of law are duly complied with. If the object of the Government is to prevent a disturbance, the Government should not penalise those that act lawfully, but those that seek to act unlawfully. The rule which the Government seeks to lay down prevents some persons from proceeding in a lawful manner and tends to encourage some who desire to act in an unlawful manner. If the Government is apprehensive that some men are likely to break the law, it is the duty of the Government to take every means in the power to prevent the breaking of law. The Government should also consider the logical outcome of what they were doing within the last few months. The Hindus of Calcutta have had to undergo interference with some of their ancient and lawful religious practices. The annual charak procession in April last was stopped. The Sikh procession was postponed and the Raj Rajeswara image, after being taken out, had to be put back. These processions were not even devices to embarrass the Government or to annoy another community. They were time-honoured institutions. The Government has not interfered with the use of the public roadway for prayers, though tension of feeling existed. Notwithstanding the fact that such use is a serious public inconvenience and is, in some quarters, regarded as a provocation, it is the Hindus alone that are required to give up their ancient social and religious practices, though such practices are within the bounds of law. The Hindus have felt that grave injustice has been done to them. They expected that the Government would hold the scales even and meet the situation with the strength of justice. They expect the Government to have as much regard for the upholding of law and order as the Government expects them to have. The Government should not do anything that might be construed as an indirect support to those that intend to break the law. The Hindu community does not desire to seek favoured treatment at the expense of any other community. The Hindus are confident that, if the Government stands up without vacillation to do what is right, the question of communal dissensions will, to a great extent, stand solved. The Hindus are passing through times of stress and anxiety. Apart from religious music and religious processions, we hear of abductions of women and desecration of images and temples. The Hindus must organise and take up their protection in their own hands, in order that they may effectively withstand the unlawful inroads made on them. I would ask the Hindus to have confidence in themselves and to work steadfastly for upholding those ideals which were kept alive by Buddha and Sankara, by Nanak and Ramdas, by Tulsidas and Chaitanya. In striving for those ideals, they will know how to weather difficulties.

The President then moved the resolutions, which were seconded by Mr. Bepin Chandra Pal and supported by Messrs. Tula Charan Goswami, Padamraj Jain, Hirendranath Dutt and Sardar Hari Singh. Mr. Pal said that mosques abutted the highways and 1/39th part of the Mahomedans felt

disturbed by the playing of music in the highways, accessible to all under the law. Their duty was to remove their mosques. The Government of Lord Lytton, Mr. Pal added, had trespassed into the function of the civil court and had perpetrated an anarchy worse than any perpetrated ever before.

Mr. Goswami said that, when the communique was issued, he raised the cry that Lord Lytton must go. If this law was unjust, it was also wicked and he urged the Hindus to make up their minds to disobey it. Pact or no pact, it would not solve the Hindu-Moslem question. He characterised the Government's action, in issuing the communique, as being "pig-headed and perverse." That was his feeling, he said, when he first read the communique and he gave public expression to it to-day.

#### RESOLUTIONS.

After several speeches the President moved the following resolutions which were adopted :

"This meeting of the Hindu citizens of Calcutta and its neighbourhood places on record their emphatic opinion that the rules intended to be laid down by the Government regarding the issue of licences for processions with music through the streets of Calcutta, as appearing in the communique recently issued by the Government, are not only subversive of the civil rights of citizens but amount to an interference with the religious rights and usages of the Hindus as laid down in the Shastras and as enjoyed by them from time immemorial.

"This meeting is further of opinion that the action of the Government is encouraging the view that, instead of upholding the civil rights of citizens, the Government makes concessions to those that break the law or interfere with the exercise of one's ordinary civil rights and thus encourage those that stand up against law and order.

"This meeting notes with regret the difference in the treatment, by the Government of Bengal of the situation that has recently arisen in the matter of playing music before mosques from the treatment of the same situation by other local Governments and executive authorities, such as the C. P. Government, the U. P. Government and the Magistrate of Delhi.

"This meeting urges upon the Hindus to take all necessary and legitimate steps in order that the interference sought to be put upon them may be removed and they may be allowed to freely and uninterruptedly exercise their time-honoured rights and privileges in the matter of the performance of their social and religious ceremonies."

#### The Bombay Meeting.

Closely following the Calcutta meeting another public meeting was held at Bombay on the 25th July in pursuance of an appeal of Mr. Bharucha to devise ways and means for putting a stop to communal feuds. Mr. BHARUCHA, referring to the suicidal communal struggles, explained how the bureaucracy and its agents who were styled friends and saviours of India were fanning the communal flame. Communal rioting had begun at Shahjehanpur in 1923 and had gradually developed to the stage when the whole of northern India and Bengal was affected. It was reported that Muslim Goondas of Bengal who had taken a prominent part in the recent riots in Calcutta, had said that they had nothing to do with the Hindus

but they only wanted to drive the Marwaris out of Calcutta. That showed that they were inspired by the commercial opponents of the Marwaris in Calcutta. Again, Bihar and Malabar were famine-stricken and there was so much poverty that even women covered themselves only with a small piece of cloth. There was unusual depression in the trades and industries of the country and if that state of affairs continued, Bolshevism would be fast coming to India because of the Government's policy. British imperialism and Indian communalism were the only two causes responsible for chaos in the country. Mr. Bharucha regretted the attitude of Dr. Kitchlew and Mr. Jinnah who favoured communal electorates. He was also grieved to hear that the Hindu Sabha was going to run the elections in the Punjab. He was glad to learn that the Khilafat Committee was not going to do so. He was more glad to read the recent announcements of Dr. Ansari and Moulana Mazrul Haque.

Mr. Bharucha then said that they all must rise above parties and communities and must consider the cause of the country above everything, if they claimed Swaraj as their goal. There was one common enemy of all communities and sects in India and that was British imperialism which would keep them in permanent subjection, if it could. It was their duty to fight it and to unite for fighting it. He, therefore, appealed to all the leaders to summon a round table conference and put their heads together in search of unity. It was only by unity and unity alone that India, their motherland, could be saved.

The president, Mr. J. K. MEHTA said that communal strife was the outcome of the political struggle for loaves and fishes and thought that the Hindu-Muslim problem was a very intricate question to be tackled. The important question to be solved was the political tension in the country. He had realized that the Swarajists had committed a great mistake in putting the Council-entry programme before the public. But there was no other alternative, as their leader was in jail and the situation demanded immediate action. But it was now time to consider avenues of unity. After Mr. Lloyd George's steel-frame speech which was resented strongly all over India, had come another speech from Earl Winterton, in which he had said that it was the British bayonets that protected the Indian peoples and communities. This was a serious challenge to Indian honour, but it was not much resented. That showed the spirit of resignation, if not indifference.

Referring to the rumour about the proposal to fix the exchange at 1s. 6d. to a rupee, the President said that, if that exchange was fixed, India would lose not less than Rs. 15 crores every year. All this demanded united action from Indians and he heartily supported Mr. Bharucha's resolution. He then put the resolution to vote which was unanimously adopted. The following is the text of the resolution :—

"That, in view of the increasingly intricate and exceedingly grave situation that has arisen in the country, a round table conference of the leaders of all parties should be held at the earliest possible date to decide on a common policy and present a united front to the bureaucracy and that this meeting further requests the president and the members of the Working Committee to convene an emergent meeting of the All-India Congress Committee to adopt such line of joint action as the round table conference may decide and as may be consistent with the present Congress creed."

## The Bengal Presidency Muslim League's Views.

Mr. Qutbuddin Ahmad, Honorary Secretary, Bengal Presidency Muslim League issued the following circular for publication to the Press early in August 1926 :—

The question of playing music before mosques has come to the forefront only a few years back and no importance was ever attached to it by the masser section of the community. The League came into existence in 1905 and had to take part in the several burning questions of the day like the demolition of Wazu Khana of the Machlibasar Mosque at Cawnpore under the City Improvement Scheme when the authorities shot the Mussalmans, the Laskarpur mosques and grave yards at Muminpur, the Calcutta Disturbances in 1918 as an outcome of sacrilegious language used by the Indian Daily News on the Holy Prophet's tomb, when the Military fired inside the Nakhoda Mosque and wounded those who had gathered inside the mosque for mid-day prayer and the blasphemous attack on our Holy Prophet, the Quran and Islam in the columns of the Epiphany of the 18th January, 1919, but never the League had to face a question of such minor importance followed with such grave results as the violent outburst of the Hindu and Mussalman masses and organised mob violence spreading fast all over Bengal. The Calcutta Disturbances of 1918 were ingeniously directed to the Marwari quarters and a Jain temple was desecrated for which the League passed a resolution of strong condemnation and forwarded it to the Mahabir Jain Samiti and the rioting then did not continue for more than three days. The prolongation of this riot started on the 2nd April, 1926, which continues to this day is a mystery which is baffling to us unless we go into the deeper significance of the trouble which may possibly be due to the intense exploitation of the pauperised masses by the traders or in the words of Lord Lytton due to the Indianization of the administration which has naturally led to rivalry and disturbances between the Mahomedan and Hindu elements which compete for power. It is a matter of greatest sorrow and despair that such a riot is possible in the 20th century and that a false cry of religion in danger is raised and the murderers slake their thirst of blood and glorify their nefarious work by the aureole of heroism? Pursued in cold blood an investigation of the roots of the trouble leads us back to a trivial squabble over nothing. A tiny fire on a little bit of straw, which might easily have been crushed between the fingers, has been blown into the haystack. The result is a conflagration which has laughed at all efforts to put it down.

The playing of music before mosques is of recent growth. The Mussalmans used to ignore it altogether as a matter beneath consideration. It is to the Hindus a spiritual tradition to regard every sacred place of any community as an object of worship and they used to stop music before mosques not at the request of Mussalmans but out of an inborn religious tendency of theirs to respect every sacred place, be it Christian, Buddhist or Mussalman, and this tendency has developed into customary usage and created mutual love and good-will to respect the religious susceptibilities of each other. You will still notice the Hindus prostrate themselves before mosques and offer "bataashas" before a Mussalman tomb. The present deplorable situation has been undoubtedly created by the reactionary elements of the Hindus and their reactionary leaders.

I humbly submit that the playing of music before mosques should not be a religious issue when people of other denominations are concerned. Our Holy Prophet (may peace be on him) himself allowed the playing of music inside the mosque during the Id Festival and asked Hazrat Ayesha to witness the same (Sahib Bokhari). He even received the non-Muslim delegation of Yemen in the mosque and allowed them to stay there. The Khalifatul Muslims at Constantinople used to attend the Salam Alek ceremony on Friday at the St. Sophia Mosque accompanied by Turkish Bands. The Mahmel procession to Mecca was always accompanied by the Egyptian Bands. During the Moslem Rule Ram Lila used to be held in front of Jam-i-Masjid at Delhi and the Royalties used to gather at the mosque and garland the hero of the play. In Calcutta in a Mahomedan family musical marriage procession was started from the house in the compound of which a mosque was situated. Certain Akharas with music start from a mosque even to this day and all other akharas visit the Mowally Darga adjacent to the mosque and play music for hours together without any protest from any quarter.

I am therefore of opinion that it has nothing to do with Shariat and has been invented by self-interested persons or party as a counterblast to cow-sacrifice in order to cause wanton irritation among the ignorant section of the community. The cow-sacrifice was made a religious issue since the eighties of the last century just at the time the Indian National Congress came into existence. It has become a veritable hornet's nest to the



Hindu leaders who were anxious to find a like snub to the Mussalmans. They have now hit the playing of music before mosques as a weapon to cause irritation to the Mussalmans. It has undoubtedly become a customary usage that the Hindus used to respect the religious susceptibilities of the Mussalmans out of mutual good will and fellow feeling and likewise the Mussalmans; and if the Hindus do not observe the same respect what we used to get before spontaneously and from a loving heart we cannot force them to do so. Have the Mussalmans any justification to force the Hindus to stop their religious music before mosques in a public thoroughfare, have we got any right to compel them to respect our religious scruples and, in case of their refusal, should we resort to violence and compel them to submit to our dictate?

## The Indian National Union.

The extent to which the Hindu-Moslem communal tension was at this time exercising the minds of our foremost national leaders can be gauged by the important manifesto, in the shape of a circular letter, sent out by Maulana Abdul Kalam Azad and Pandit Motilal Nehru and the influential support which the proposal put forward there had already had. The manifesto which had been in circulation among the prominent Hindu and Mussalman leaders for the last two months was handed over to the Associated Press on the 31st July 1926. It bore the signatures of Maulana Abul Kalam Azad and Pandit Motilal Nehru. It was drafted by the signatories in consultation with each other about the middle of May last and was sent round to certain selected leaders for their approval. The delay in publication was due partly to the fact that Pandit Motilal Nehru took his holiday soon after the draft was prepared and partly to the time taken to reply by the gentlemen who were approached. The following expressed their entire agreement with the objects and principles stated in the manifesto and also agreed to join the movement initiated thereby: Pundit Nehru, Right Hon'ble V. S. Srinivasa Sastri, Sir Tej Bahadur Sapru, Hakim Ajmal Khan, Mrs. Sarojini Naidu, Sir Zulfikar Ali Khan, Sir P. C. Ray, Dr. M. A. Ansari, Messrs. Sen Gupta, Tassaduq Ahmed Sherwani, S. Srinivasa Iyengar, Chowdhuri Khaliqzaman, Lala Dunichand and Dr. S. Mahomed and Maharaja Sir Mahomed Khan of Mahmudabad. The manifesto runs as follows:—

### THE NEHRU-AZAD MANIFESTO.

"Dear Sir,—You have no doubt realised the evident danger of the new phase into which the communal movements in India are now entering. The situation is going daily from bad to worse and we feel that if no immediate organised effort is made, this rising tide will soon overwhelm the whole field of our political and civic life. You will perhaps agree with us that in the main, our present troubles are due to the fact that by an indiscriminate mixing up of the political and religious issues, we have initiated a revivalist section which, because of the existence of heterogeneous elements in our country, makes a cultural and social conflict inevitable, and it is clear that the only real remedy which can save us from disaster is the deliberate establishment in our midst of a national consciousness and a national atmosphere in which religious and communal conflicts and passions will be relegated to a subordinate and a lower plane.

A Non-Communal Association Essential.

"But the question which is troubling the best Indian minds to-day is how to achieve this object effectively. The attitude of general inaction and of passive disapproval which has so far been maintained, is an index not so much of our indifference to the dangers of the situation as of the complex and delicate nature of the problems involved and of the tremendous difficulties which have to be faced before reaching the resolution. Further inaction will, however, only multiply these difficulties and make it impossible to grapple with them even with such chance of success as we have at present. The new trend of the Hindu Maha Sabha movement on the one side and of the Muslim communal movements on the other threaten a crisis which makes some positive action imperative on the part of those who yet happen to retain their balance. Accordingly, we have decided to start a movement to rally to a centre and organise those sections of enlightened Indians who agree with us that communalism is a negation of nationalism and that continued communal conflicts will inevitably lead to our utter political, economical and social ruin. It is evident that a complete elimination of communal conflict from our national life must be preceded by suitable steps to organise our civic life in such a way as to make violent communal outbursts difficult, if not impossible and to establish points of contact between the two communities to prepare a way for the adjustment of mutual differences. You will agree that by far the largest sections of the Hindus and the Mussalmans in India want to live together in peace, if not in unity. The peasants, the industrial classes and the wealthy are sure to welcome any movement for peace and unity and be ready to co-operate in the materialisation of its aims. Among the educated classes, the major portion would willingly help freeing civic life from the constant dread and evident dangers of violent communal outbursts. If, therefore, a movement for unity and peace is launched, it is bound to receive a ready and generous response from the people. On the contrary, if even at this stage, organised effort is not made in this direction, all these various sections would gradually drift towards communalism and ultimately get involved in struggle. It is time that we should make a determined effort to rally and organise these sections and, in this way isolate, weaken and discredit these mischievous elements in our society which are really responsible for the present crisis. A movement of this nature can be effectively carried on only by an highly organised body of men of all communities who are themselves absolutely free from communal bias of any kind, and are united together by a common bond of fellowship in the struggle against communalism. For the purpose of bringing together such a body of men, it is necessary to arrive at a clear understanding of certain principles which are to guide them in their relations to each other and the public at large. We are thus inevitably led to think of organising a new association or party. Our proposal may, at first sight, appear to be only an attempt to add one more to the numerous parties that came into being with the avowed object of evolving order out of chaos but only succeeded in making confusion worse confounded. But a little reflection will show that we are scrupulously eliminating the one element which, as experience has shown, was solely responsible for the failure of those parties, viz., their purely communal basis. We claim no originality that ours is the first serious endeavour to carry out the idea in practice. We are, therefore, approaching friends whom we believe to be above all communal

## THE INDIAN NATIONAL UNION

prejudice to invite their help and co-operation in this important undertaking. Generally speaking, the following may be taken as the guiding principles we have referred to above: (a) full liberty of religious view and practices; (b) absolute tolerance of the views and practices of others; (c) adjustment of communal relations on the basis of strict legal rights of communities and individuals.

### Proposed Indian National Union.

"We propose that the new organisation be called the Indian National Union. The immediate object will be to avoid communal conflicts in their present forms. The end ultimately in view will be to bring about a thorough understanding between the different communities on a solid and permanent basis. All Indians of whatever community who subscribe to the above principles, will be welcomed as members of the Union, provided they do not belong to any communal organisation. It is evident that the inclusion of those who belong to a movement, which seeks to enforce the rights of only one community against another, would defeat our whole purpose. We fully expect that the success of the national movement we are trying to start will, in due course, attract many members of the existing communal organisations and that they will find no difficulty in joining us by retiring from the latter. It is highly desirable that the proposed organisation should be truly national and wholly non-political, and that, except for the bar on members of communal organisations, no party shall be excluded so as to make it possible for all shades of political thought to join. It will be noticed that all of those who have agreed to join the proposed union, do not hold identical views on political questions. We have considered it necessary to make this point quite clear at the very start. The general attitude of such a party towards the various communities or towards those that may arise hereafter, will have to be determined exclusively by reason and justice, as our main object will be a persistent propaganda against all forms of communalism. The details of these and other cognate matters can only be settled at the preliminary meeting of the Union and it is unnecessary to deal with them at this stage.

### Mixed Boards to Settle Disputes.

"It may, however, be noted that the old idea of establishing mixed boards for the settlement of mutual disputes has never so far been given a fair trial and it is time that serious effort was made to try this experiment on an extensive basis. We can gradually train panchayats to act equitably in the discharge of their duties and it may be possible to take the principles incorporated in the resolutions of the Unity Conference at Delhi as a basis.

### A Proposed Preliminary Meeting.

"We are fully alive to the difficulties of carrying out the programme which we are putting before you, but we are doing so with the conviction that there is no lack of men and women in the country entirely free from communal bias who will only be too glad to help in overcoming all obstacles. We hope you will give to the matter the attention it deserves and will send your considered opinion at your early convenience. We propose to call a meeting of those who intimate their approval of our suggestions on an early date at some convenient centre, with the object of formally inaugurating the movement, the framing of the necessary rules and the

election of office-bearers. Meanwhile, the undersigned will act as a provisional committee and appoint a provisional Secretary. It is requested that all replies be addressed to the latter at Anand Bhavan, Allahabad."

### The Preliminary Meeting at Delhi.

A preliminary meeting of those who expressed their agreement with the objects and principles stated in the manifesto was held at Delhi on the 10th September 1926. The following is a summary of the informal talk and decisions reached at the meeting and was issued by the Secretary after a week :—

"It was resolved unanimously that the Indian National Union was not intended to interfere with the work of internal reform, undertaken by different communities or to require any community to suspend its social or other reforming activities. The Union was intended to be a meeting place for all who regarded as undesirable the aggressive spirit fostered by mistaken activities directed by one community against another which were calculated to obstruct and retard the real progress and ultimate welfare of the country as a whole. It should further be a meeting place for those who believe that India's lasting salvation was to be achieved by united efforts and not by inter-communal struggle. It was not possible for a communal organisation to organise different communities along lines of self-help and by fitting them mentally and physically to contribute their best to the attainment of a united nation. But, unfortunately, with the best of intentions and the purest of motives, indiscriminate activities of certain communal organisations, originally meant for the right kind of activities, had, in the hands of short-sighted followers, brought about a mentality which even the authors of the movement could not approve and were, therefore, proving detrimental to the cause of the country. It was, therefore, essential to bring together all those who had not become too inseparably identified rightly or wrongly, with such activities to act as peace-makers between the contending parties and to establish points of contact between the dissimilar elements, who should exert themselves on behalf of tolerance, peace and unity.

"There was a general agreement among all present that, in deciding the question whether certain existing organisations were objectionable from this point of view, their present activities alone should be the data for judgment. Some members brought before the meeting the names of certain organisations, Hindu, Muslim and Sikh, but, after the most careful consideration, it was resolved that the declaration of the names considered objectionable from the Union's point of view should be left to the central board.

### A Sub-Committee Appointed.

"A sub-committee consisting of Mrs. Naidu, Maulana Abdul Kalam Azad, Messrs. Girdharilal, K. Santanam, Asaf Ali and Shankerlal, was formed to draft the rules and regulations of the Union and to circulate a report of the informal meetings of the sub-committee for inviting criticisms. The present office of the Union was decided to remain at Delhi and Lala Shanker Lal is to act as provisional Secretary. The sub-committee met on the 11th and 12th, most of the members attending and drafted certain rules and regulations.

### DRAFT RULES.

"The following are the draft rules and regulations of the Indian National Union :—Objects: To promote and foster the growth of a united Indian

nation and to remove all causes of inter-communal discord and separatist tendencies. To achieve these objects, the Union shall undertake a vigorous propaganda through the press and the platform and to foster a spirit of true nationalism and genuine patriotism among the people of India, it will try to create gradually such atmosphere in the country as would facilitate a settlement of all communal questions in a noble spirit of compromise and mutual good-will. Regarding the differences not settled within a reasonable time by common understanding, the Union will, with due regard to the equities of the situation, give its own finding and take steps to secure for it the approbation of the country.

**"Membership :—**Every Indian, not under 18 years of age who subscribes to the aims and objects of the Union, shall be eligible to become a member of the Union on signing a declaration form and pledge and every member shall pay Re. 1 as annual subscription. None who continues to be a member of any organisation declared communal by the Central Board of the Union, shall be eligible to become a member of the Union. (A communal organisation is one whose present activities are calculated to retard or obstruct the growth of a common Indian nationhood).

#### THE PLEDGE.

"The following is the pledge :—"I do hereby solemnly affirm that (1) the only way to India's lasting prosperity and freedom lies in realisation by all communities of India of a common united nationality and harmonious co-operation between them all. (2) My sole objective shall be the good of the nation as a whole. (3) My guiding principles in regard to communal disputes shall be as follows :—(a) full liberty of religious views and practices ; (b) absolute tolerance of the views and practices of others ; and (c) adjustment of communal relations on the basis of rights and mutual obligations of communities and individuals. (4) I will do all in my power to prevent communal disputes and never be a party to any of them. (5) I will spare no efforts to foster a spirit of true nationalism, patriotism and harmonious co-operation within the sphere of my influence. (5) I neither am nor will be a member of any organisation declared communal by the Central Board of the Union."

#### Its Reception by the People.

The inauguration of the Union was, however, received by the people of both communities with mixed feelings. Whilst there was a general approval of the excellent aims and objects set forth in the manifesto and it was even recognised that the authors of the document and their supporters meant well, the feeling was general that Pandit Motilal Nehru and his political supporters were the last persons to attempt a work of this kind with any chances of success. The Hindu newspapers in the Punjab which speak with authority in the name of their communal organisations wholly distrusted Pandit Motilal Nehru and those who shared his political opinions and endorsed his obstructive methods of political work. They maintained that incalculable harm had been done to the best interests of the Hindu community by the unwise and mischievous non-co-operation movement which was so fervently sponsored by Pandit Motilal and his co-adjutors, as also by the subsequent Swarajist activities of these people. The existing unsatisfactory

state of affairs in the Province was largely attributed by the Hindus to the activities of the Congress from 1920 onwards. In condemning the manifesto the Late Swami Shradhanand said:—"I have gone through the Nehru-Azad manifesto carefully and do not see what it aims at . . . . I consider that the Conference made a mistake in keeping itself clear of the political issues involved in Hindu-Muslim unity. The aims of the new party are unexceptionable, but the question is where to get people who do not belong to any communal organisation. I could understand the new party fighting shy of confirmed communalists, but if they exclude all those who belong to any communal organisation they shall have to work without the help of those who really have a hold on the masses. . . . I find that Pandit Malaviya and several other prominent Hindus, who are the real leaders of the community, do not appear to have been consulted, because, forsooth, they belong to Hindu communal organisations; while Hakim Ajmal Khan, who only lately made such a bigoted communal speech as chairman of the reception committee of the Khilafat Conference of Delhi, has been welcomed. I feel the new party may not prove an intolerant sect of non-communalists, which might defeat the very purpose for which it is inaugurated."

The Mahomedans were no less bitter in their emphatic condemnation of Pandit Motilal Nehru and his supporters. The "Muslim Outlook" of Lahore dealt with the manifesto in an article full of gall and wormwood entitled "The Latest Fraud,"

## **The Bengal Muslim Party.**

### **SIR ABDUR RAHIM'S MANIFESTOES.**

The following manifesto was issued by Sir Abdur Rahim on the 6th September 1926 :—

"I am being repeatedly asked by many friends in Calcutta and the mofussil to issue an appeal to the Mahomedan Constituencies in view of the forthcoming elections. I have from time to time expressed my views in no ambiguous terms on the general political situation and the attitude which the Mussalmans should adopt and I am glad to find that the suggestion which I made in my speech at Aligarh that the Muslim members returned by the Muhammadan Constituencies in the Legislative Councils and the Assembly should form themselves into a party, has not been accepted with practical unanimity all over India. Even the Swarajists, who are still trying their best to entrap some Muhammadans to buttress their tottering organisation, are unwilling or unable to adopt a policy of toleration and genuine nationalism which would accept recognition as much of the rights and interests of the Mussalmans as of other communities. The Congress is equally dominated by militant communal Hindu politicians and the political attitude of the Responsivists whose high priests are Pt. Madan Mohan Malaviya, Dr. Moonji and in Bengal Mr. B. Chakravarty towards Muslim interests hardly requires elucidation.

"I understand from what is appearing in certain newspapers and from what has been reported to me that the Congress, the Swarajists and Responsivists are all united in one thing and that is to keep me and the

party I represent out of the Council or to divide the Muslim members in the Council into conflicting groups. In fact, no secret is made of this, but what naturally is not disclosed by our political opponents is the method they are adopting to secure their object. They are relying on the services of two classes of men, (1) some Mussalmans who are so greatly indebted to the Congress or the Swaraj Party or to some of their important leaders that they find themselves obliged to work for them either openly or secretly, quite irrespective of any other consideration, (2) those Mussalmans who have personal ambitions of their own and are trying to form a group at any cost so that they may be in a position to bargain with any party that may emerge into power, whether that party be that of Pt. Malaviya and Mr. Byomkesh Chakravarty or of Mr. J. M. Sen Gupta. All these gentlemen for purposes of Election may even feel no hesitation in publicly professing dissatisfaction with the Swarajists or the Responsivists and vehemently asserting their independence and courage but always keeping their eye on the main chance. I wish to warn my community against the activities of both these classes of men.

"I am further aware that there are individuals, who, for one reason or another, are actuated by unfriendly feelings towards me personally. Nor is it possible for me to minimise the fact that those feelings are being seditiously exploited by the unscrupulous propaganda of some Hindu politicians who have been straining every nerve to oust me from the political arena on the alleged ground that my principles of action are 'communal' and anti-national. I need hardly observe that the allegation is wholly false and unfounded and is refuted by every record of my public life unless my political opponents base their allegation on the mere fact that I have been trying to impress upon my community the need for safeguarding its own political, religious and civic rights and interests by means of constitutional measure, while making its best contribution towards advancing India's cause. This, indeed, I regard it to be my obvious duty to inculcate, not only because self-defence is the first law of nature but because I believe that India can have no political future, without the hearty co-operation of the Muslims.

"It is well known that I am the President of the Bengal Muslim Party which was formed on the second day of the First Session of the Council held this year, and the political principles of the party are fully explained in the manifesto which has already been published in the newspapers and distributed in the various centres of Muslim population. All the non-Swarajist Muslim members with the exception of one or two free lances have hitherto acted together in that party and I recommend to the Muhammadan Constituencies those candidates who are willing to act as bonafide and loyal members of a United Muslim party based on those principles.

"I am willing to offer my services once again for the Council but if my services are to be of any use there, I shall expect the Muhammadan Constituencies not merely to return me but also men with whom as colleagues it will be possible for me to work in unison and harmony in those difficult and critical times."

## (II)

Subsequently Sir Abdur Rahim issued another manifesto on the 18th September in the course of which he said :—

"I hold clear and definite views which I have never hesitated to express about the unwisdom of pursuing a policy of blind obstruction in Legislative Council, nor have I seen eye to eye with the Swarajists in many of their tactics. I do, however, strongly protest against the method that is being adopted in certain quarters in order to secure a body of legislators willing to make the best use of the present constitution, doubtless a laudable object. The Swarajists will take care of themselves and all that I wish to do is to dispel certain false and mischievous impressions that are being created with regard to my attitude and that of the Bengal Muslim Party which I represent. I am undoubtedly trying my best to bring all the Muslim members of the Council on the same platform, but I wish emphatically to repudiate the suggestion that is being made from day to day in some form or other that my object in doing so is, by capturing the Government, to secure the spoils and to injure the interests of the Hindus. I venture to think that the proper way of persuading the representatives of the people to make the best use of the present constitution, defective as it is, is not to excite communal passions of the Hindus or of the Muslims by telling each group in turn that, unless you consolidate your forces, your interests will be in jeopardy at the hands of the representatives of the other community, but to tell them both that if you act together you can do a fair amount of good work for the benefit of the people, such as, by instituting free and compulsory education among the masses, by improving their health conditions, by ameliorating the lot of the ryots and the labourer and by organising the right sort of secondary, technical and higher education along the lines which will help the economical development of the country as well as the interests of science and culture. That is the objective which the Bengal Muslim Party has placed before the country.

"We, of the Bengal Muslim Party, have, it is true, adopted a communal designation for our political organisation, but all political organisations in this country have in fact been of a communal character. I fail to understand why the representatives of each community, while fully undertaking to see that its special rights and interests are safeguarded, should not be able to combine and work together for the common cause of the country. That is the ideal which we have set before ourselves and that, I venture to think, is the only practicable ideal so long as there remain differentiated communities in India. We definitely set our face against the domination of one class or community by another. If it be possible after the next elections to work the transferred departments through Ministers, I for one would insist on the co-operation of Hindu and Muslim members on equal terms, inevitably excluding only the section which refused to utilise the present constitution. I must say, however, that if a sufficient number of Indian members of the Legislative Council apply themselves earnestly to constructive work, very good results may be achieved even without Ministers. In proof of this, I point to the Legislative Assembly which has to its credit very important achievements though there had been no Ministers there. Some might say because there had been no Ministers. No one will deny that the Ministers have to face very great difficulties which I pointed out in some detail before the Muddiman Committee and the prospect of being called upon to fill one of these offices cannot evoke much enthusiasm in the breast of any well-informed politician. Certainly, it would not in mine.



## THE VICEROY ON COMMUNALISM

"I must also frankly state that if the representatives of the Mussalmans of Bengal are resolved no longer to be the dependents of any Hindu organisation, they are equally resolved not to be at the beck and call of the Government. They, along with the rest of the Mussalmans of India, are now determined to close their ranks and to stand firm on their own legs, while offering friendly co-operation to either in the case of India's political advance with a view to promoting the welfare of the general population. They will not flinch from offering stern opposition to the Government or to any political party in the country, whenever it is found necessary to do so in the interests of the country or for the protection and advancement of the interests of their own community which, in the present circumstances, require their unremitting vigilance."

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### The Viceroy on Communalism.

#### The Chelmsford Club Speech.

The speech made by H. E. Lord Irwin at the Chelmsford Club, Simla on the 17th July 1926 on the communal question was almost the first utterance of his, since his assumption of office, on a live topic engaging the attention of the Indian public. In the course of a long speech the Viceroy said that as in some quarters blame had been attached to communal representation as being the cause of friction, some advantage might be gained by stating the reasons for its existence and the present policy of the Government regarding it. He greatly hoped that the time might come when, with general consent, the necessity for such special representation would no longer be felt, but to-day statutory arrangements were in force. Representation in the Legislatures was the result of a compact to which Indian opinion at the time of the introduction of the reforms desired effect to be given. As regards local bodies the decision regarding them fell within the sphere of "Transferred" administration, with which the Government of India had no direct deal. The Franchise Committee found the opinion unanimous in favour of communal electorates. All communities were thus enabled and, indeed, action could hardly be justified on any other grounds, freely to take part in fashioning India's destiny and the opportunity was ensured against any community at the outset being impeded in making a joint contribution to a common task.

It was suggested that the hopes or fears of modification or extension of these special privileges were in part reasonable for the present discontent. These things could come within the purview of the Royal Commission, but the Viceroy made it plain on behalf of the Government of India, that in advance of the statutory enquiry, there is no intention of curtailing or of extending the present scope of these special statutory arrangements.

Proceeding, the Viceroy remarked that he had anxiously weighed the possibility of himself convening an All-India conference to consider the present situation. If he could think there was real likelihood, or even a real chance of such action effecting an improvement he should not be deterred from adopting it by the inevitable risk of failure. He trusted, however, that as time went on there would be a mutual disposition among those who could speak for their great communities to take such bilateral undertaking in the

cause of peace as would reflect the wishes of a substantial majority of the opinion of both communities. But there was much to be done before they reach this happier stage.

He recalled that the Unity Conference, held in October, 1924, had not succeeded in producing a calmer atmosphere which was hoped of it. It failed, and every similar attempt would fail so long as a conference was not preceded by any adequate change of heart and feeling throughout the communities. The two communities should first bring themselves to judge the matters in dispute with a far greater measure of toleration and restraint than unhappily prevails at present. The more he pondered over the problem the more clearly he felt that the first work to be done was by the leaders within their own ranks and the future of their community and the country alike demanded it. Let them throw themselves into a nobler struggle, the fight for toleration. He saw before him two ancient and highly organized societies with able and esteemed public men as their recognised leaders. He could not conceive that a really sincere and sustained appeal by them to the rank and file of their co-religionists, sustained by active propaganda of the new gospel of peace, would go unheeded. In past centuries each community had made great contributions to the annals of history and civilization in India. He refused to believe that they could make no contribution now to rescue the good name of India from the hurt which their present discord inflicted upon it.

Finally, the Viceroy made a fervent appeal in the name of Indian National life and in the name of religion to all in each community who held positions in various spheres of public life to work untiringly for the new atmosphere of trust. He appealed in the name of national life because communal tension was eating into it as a cancer. It had suspended its activities and ranged component parts into hostile camps. He appealed in the name of religion because there could be no greater tragedy than that religion, which should be the expression and the support of man's highest instincts, should be prostituted by an alliance with actions through which those instincts are distorted and disgraced. Such a development, if it were unchecked, could only end in the infliction of a mortal wound upon human character, upon India and upon the cause of that religion in whose guise it was allowed to masquerade.

## The Poona Speech.

Another happy pronouncement was made by His Excellency Lord Irwin on July 28th at Poona on the Hindu-Muslim question in which he reiterated his deep anxiety to ease the tension. "I am determined," the Viceroy told the Mahomedans who presented him with an address, "with your help and with the help of the Hindu community to remove this blot from the fair name of India." It was evidently in consequence of this earnest desire to do something towards the solution of the problem that he had asked his colleague, Sir B. N. Mitra, to interview the Hindu and Mahomedan leaders in Bengal. The exact nature of the conversations was not authoritatively stated in public, but immediate efforts were directed to the formation of conciliation and arbitration boards composed of delegates from both the communities. Replying to the deputation the Viceroy said :—

"You have asked me to safeguard the interests of your co-religionists from the evil effects of communal dissensions which unhappily are now so

prominent in Indian life. It is hardly necessary for me to speak at great length to-day on this question, as I discussed it fully when addressing the Chelmsford Club at Simla a week or two ago. I am blind to none of the disturbing possibilities which lurk in it and I am determined, with your help and with the help of the Hindu community, to remove this blot from the fair name of India. Peace and order must be preserved, but I cannot believe that it is beyond the power of the leaders of each community to bring home to their more hot-headed fellows the futility and the peril of these outbursts. Do not think that this means the surrender of any principle that are dear to you or the denial of a single tenet of your great religion. I ask that of no man. I think that, in no quarter where the facts of the situation are squarely faced, will there be a disposition to deny that many things are done to-day in the name of loyalty to religion, which falsify and betray the fundamental instincts of humanity from which all religion takes its root.

"The question of communal representation about which you have expressed anxiety is of great complexity. As I have said elsewhere its only justification is that it should be the means through which every community should feel free to give what it can to the common cause of the service of India. But if this ultimate purpose is obscured and if communal representation comes to be regarded as an end in itself and thus has the effect of narrowing the horizon of our loyalty, what was designed to promote the cause of unity quickly becomes the seed-bed of division. When different communities have to live together it is incumbent upon each to recognise that the cause of peace demands a wide measure of mutual toleration and restraint. That which we claim for ourselves, we must be ready to accord to our neighbours. This spirit, if it may but grow, will be found to be a better and more lasting solvent of the present discords than any artificial methods of representation. But, until we can reach this state, communal representation in some form is likely to be necessary and it is probable that any substantial modification of it must largely depend upon the general consent of all communities".

### The Indian Christians on Communalism.

The All India Conference of Indian Christians presented an address to His Excellency the Viceroy at Simla on the 1st September 1926 under the leadership of the Hon'ble Raja Sir Harnam Singh Ahluwalia. The deputation was representative and influential. In the course of their address they stated :—

"We view with concern the increasing tension which marks the relations between the two great communities of India. In meeting this situation the Government has accepted the principle of communal representation in the Legislature, but in recent years this principle has been even extended to the services. As regards the first, our community, except in the Madras Presidency, have been merged in the non-Mohamedan constituencies. We have accepted this provision, not that we believe the system gives our community adequate representation, but because we have set our faces against any practice which will still further divide the voters along communal

interests. With the increasing friction, our chances in the political life of the country become more remote, as the non-Mohamedan constituencies tend to become the strongholds of communalism. This is not the occasion to place definite proposals before Your Excellency but we trust that the interests of our community will not be overlooked. As regards the second, we regret that the extension of the principle of communal representation to the public services has also been accepted. We would urge upon Your Excellency that merit should constitute the main condition for admission to, as well as promotion in, Government service. In the case of the backward classes, in the opinion of our community, it is incumbent on Government to provide those educational facilities which will enable their members to compete on equal terms. To us the efficiency and purity of the public services is a guarantee that the humblest of His Majesty's subjects in India can continue to live without let or hindrance, and we express the hope that high standard, irrespective of communal considerations, will be preserved intact."

## Lord Olivier on Communalism

The following is the correspondence between Sir Michael O'Dwyer and Lord Olivier in the "Times" and the views of Lord Olivier in the "Times" concerning the communal trouble in India. Lord Olivier wrote on July 7 as follows :—

Sir,—The very interesting despatch from your correspondent which appears in "The Times" to-day confirms the correction which I have offered in your columns to Sir Michael O'Dwyer's contention that communal dissensions in India are due to the Montagu-Chelmsford Reforms. The causes, as your Correspondent points out, are anterior and wider and his references to them support what has been written by himself and Indian correspondents in your columns. But the scheme of franchises which was adopted on the recommendation of Lord Southborough's Commission in connexion with the new Constitution has certainly accentuated and extended the evil influences of the communal principle. That Commission itself deplored the necessity, which it deemed to be forced upon it, of creating new electoral communities in addition to the pre-existing distinction between Hindus and Moslems, and hoped it would be transitory. Until the communal principle for electoral franchises is eliminated ordered progress in constitutional Government will be impossible.

But there are other causes of the increasing faction fighting. No one with any close acquaintance of Indian affairs will be prepared to deny that on the whole there is a predominant bias in British officialism in India in favour of the Moslem community, partly on the ground of closer sympathy but more largely as a make-weight against Hindu nationalism. Independently of this and its evil effects there has been vacillation in Police action and Police court practice sometimes on one side and sometimes on the other, encouraging each side to take liberties. This is almost universally attested by responsible Indians, who impute it—I do not say justly—to a deliberate desire on the part of authority to maintain communal trouble as a testimony against the possibility of constitutional progress. Whether this imputation be unjust or not they point, as your Indian correspondents have done, to the absence of such troubles in Native States, where the purpose of maintaining public order and an even balance is untainted by any such mischievous *arrière-pensée*.

Contrary to the opinion of many Indians I consider that the regulations recently promulgated in Bengal with regard to processions, etc., are on the right line, if for no other reason, because they appear to me to follow the principle on which native rulers proceed. Mutual consideration is enforced; offensive demonstrations such as the killing of cows, are in some cases absolutely prohibited. Hindu processions with music, where there is a Moslem population may reasonably be prohibited in certain places and at certain times, but the Moslems have no right to expect that these religious rites shall be forbidden

at all times and in all streets, because they have mosques in every street and pray at all times of the day. Correspondingly, it is outrageous that Moslems to whom the killing of a cow is at best a mere purveying of butcher's meat, should be allowed, as they have been in some places, to make a public festival and demonstration of this exclusively secular feat by leading the poor beast through the streets wreathed with garlands, as in a religious procession, and as if they were about to make an idolatrous sacrifice wholly repugnant to their own religion. If Moslems must have beef it should, in Hindu cities, be purveyed through licensed abattoirs.

### Sir M. O'Dwyer's Reply.

To this Sir Michael O'Dwyer replied :—

Sir,—Lord Olivier in his letter in your issue of the 10th inst. prides himself on having with the authority of your Calcutta Correspondent, demolished "Sir Michael O'Dwyer's contention that communal dissensions in India are due to the Montagu-Chelmsford Reforms." I trust I am not too grievously ignorant of Indian conditions as to advance such a contention. What I said in my letter kindly published by you on April 12 and repeated in my reply to Lord Olivier in your issue of April 20 was that the traditional sectarian hostility has since the Reforms been aggravated tenfold by the political struggles of the rival religions and races to possess themselves of the power and place which the British Government is, to their minds, vacating.

Does Lord Olivier deny the accuracy of this statement? It is a pity that in his efforts to explain away "the increasing faction fighting," he advances the unjust and unfounded statement that "there is a predominant bias in British officialism in India in favour of the Moslem community." If any refutation is required one is furnished in the dispatch of your Calcutta Correspondent in the very same issue, stating that the Mahomedan Deputy Mayor of Calcutta in the Legislative Council attacked the impartiality of the Police on the ground that they were preponderatingly Hindus. This preponderance was officially admitted.

I am afraid that Moslem critics will detect an anti-Moslem bias in the late Secretary of State for India not only because of the above statement but also because of the extraordinary ignorance of Islam displayed in his confident assertion that the killing of kine at the great Mahomedan festivals is not an obligatory religious sacrifice but "at best a mere purveying of butchers' meat" and "an exclusively secular feat!" One wonders from what sources Lord Olivier derives his information. But those sources are obviously anti-British and also anti-Moslem.

### Lord Olivier's Reply.

Lord Olivier concluded the correspondence with the following letter :—

Sir,—If by "since the Reforms" Sir M. O'Dwyer did not mean "in consequence of the Reforms" but was merely employing a descriptive from of chronology, I apologize for misinterpreting him. His statement that the traditional sectarian hostility in India has been "aggravated tenfold" by the political struggles of the rival religions and races to possess themselves of power and place attributes, in my opinion and that of others of your correspondents, enormously exaggerated influence to that factor. Factors more potent have been indicated. The fault" says your Simla Correspondent, "is not in the Reforms" and explained why he says so.

I do not see that the accusation quoted by Sir M. O'Dwyer against Hindu Police of partiality for Hindus affects the question whether British officialism in India does or does not on the whole, feel more sympathy with Mahomedanism than with Hinduism and consider the Moslems a more "virile" community (to use Lord Birkenhead's word) and better qualified for dominion. The majority of the Englishmen I have met in the course of my life who have served in India have forcibly expressed such predilections which are very intelligible in them, but do not prove their qualifications for governing the Hindus.

### Lord Olivier on "Official Bias".

Subsequently in another long letter to the "Times" on the 12th August 1926 Lord Olivier explained more clearly the meaning of the "official bias" which he had used in his letter of the 7th July last as given above. When he was challenged in the House of Lords on the 28th July by the Secretary of State and the late Viceroy, the Marquis

of Reading about the statement, all that he said to allay the suspicions of the officials was that he did not mean to impute any attitude of favouritism to the Government of India. But still he maintained his conviction of the existence of a kind of bias amongst the officials owing to the higher appreciation of the latter of the virtues of the Moslem section of the community. (For Lord Olivier's speech see page 181).

In this letter Lord Olivier digs up the official record of Lord Minto's time and on the basis of an interview between the Viceroy and a Moslem deputation writes: "The late Lord Minto was a most gallant and high-minded Englishman; he was not eaten up with that supposed discretion which is deemed to consist in dissembling opinions known to be held and imagining that if you do so, you will be trusted to act as if you did not hold them. When Lord Minto was approached on behalf of the Moslem community with a request for separate representation (by election) in excess of the proportion of its numbers, he answered: "you justly claim that your position should be estimated not merely on your numerical strength, but in the respect of the political importance of your community and the services it has rendered to the Empire. I am entirely with you." Lord Minto then expressed precisely that kind of predilection in favour of the Moslem community which is in my opinion prevalent amongst officials in India."

Continuing, Lord Olivier maintained that there has been no official repudiation of this policy which is by implication assumed to have been the governing dictum of Lord Morley's policy. For he says; "But so far as I am aware, the government has not publicly expressed the view that such preferential discrimination, however unobjectionable it might be, under the merely representative institutions of the Morley-Minto Reforms, is quite incompatible with the idea of the Montagu-Chelmsford Councils and Ministries. Any expressions of such opinions may well have been deemed uncalled for, the constitution at present not being under revision; but would it be unnatural or unjustifiable for Hindu politicians to view with suspicion such unrepressed assumptions of claims to privilege?"

Lord Olivier then imagines what Moslems and Englishmen would have said if any Governor-General, impressed with the achievements of Aryan civilisation in India had replied to a Hindu memorial in the terms employed by Lord Minto when responding to his Moslem deputation. He declares that it is much more dangerous to British credit in India that perfectly familiar truisms, like those to which he has given expression, should be greeted with bombastic abuse in British journals than that political convictions should be frankly expressed, as Lord Minto expressed his.

Continuing, Lord Olivier holds that even the late Mr. C. R. Das was ill-advised when, in his speech, he gave way to the demands of the Moslem Swarajists

Olivier says, could never be sustained in any way. Such one-sided arrangements can never be squared with the principles of the reformed Constitution, and it is unthinkable that they should find any place in the future proposals of the Government.

In so far as the Reformed Constitution has proved unworkable and has had the effect of exacerbating factional rivalry, Lord Olivier attributes this result to the working of the communal electoral franchise; but he wants to reduce that kind of representation to a minimum. The supporters of the Moslem claims like Sir Theodore Morrison are in favour of extending it further. These people talk as if the Moslems were the only minority in India. The Hindus themselves are in a minority in some areas. And obviously, as Lord Olivier points out, the rights of the lesser communities (Sikhs, Christians, Labour etc.) cannot possibly be protected by the Moslem prescription of over-representation all round. "If anything can be confidently foretold," he adds, "about the 1920 Constitution it is that it will recommend the supersession of the separate communal electorates by some other form of safeguard for minority rights."

As to the suggestion that the only remedy for the supposed irreconcilable differences of Indians is the permanent imposition of British rule, Lord Olivier observes that "from Lord Minto's time onwards every responsible British administrator or Minister who has had to control Indian affairs has recognized that that prescription is entirely impracticable and futile and has endeavoured, as we are most of us now doing, to contribute what he could towards assisting the evolution of fairly representative national Government. It is worse than useless to say this cannot be done. It only strengthens intransigent Indian Nationalists in their belief that Englishmen do not wish that it should be done."

## The Allahabad Ramlila Procession.

A crowded meeting of Hindus was held on the 5th October 1926 at Allahabad to protest against the restrictions put by the District authorities on the Ramlila procession. Pandit Madan Mohan Malaviya, in the course of his speech, characterised the Magistrate's order to stop music before mosques at prayer time as not justified in law and he said that by passing such an order, the authorities have lowered the British prestige. The Pandit asked the Hindus to refrain from Satyagraha, advised them to bear everything patiently and exhorted them to keep peace and order and to adhere to constitutional means. Resolutions were passed expressing resentment at the Magistrate's order and begging H. E. the Governor and H. E. the Viceroy to intervene. The following telegram was sent by Pt. Malaviya to the Governor:—

### Pt. Malaviy's Telegram.

"The Hindu residents of Allahabad, assembled at a public meeting, record the strong protest against the attitude of the district authorities in refusing licences even this year for the Ramlila procession in conformity with the long established local custom. The meeting invites the attention of H. E. Governor-in-Council to the deep and universal pain which the said attitude has caused to the Hindus. The meeting submits that protection of the just rights of Hindu citizens and preservation of the prestige of the British Government demand that licences for Ramlila processions be issued as used to be issued till last year without any restrictions as to time and music. It requests that His Excellency be pleased to direct the district authorities to issue licences for Ramlila as were issued till last year without the conditions mentioned above and further to direct the authorities to give the necessary protection to the Hindus in the exercise of legitimate rights and to take steps to preserve peace by such action as may be necessary to prevent any unwarranted attack on such rights. The meeting draws the attention of H. E. the Governor-in-Council to the address of H. E. the Viceroy to the legislatures in which His Excellency said: 'It cannot be too clearly emphasised that the Government have no intention whatever to allow any unjust or unreasonable claims, still less any violence or threat of violence, to deter them from their clear duty of maintaining public peace and, so far as it is compatible with the rights of others, rights of individual citizens to pursue unhampered their lawful avocations.' The meeting requests the Government of the United Provinces to give effect to His Excellency the Viceroy's views and not allow apprehension of possible disturbance of peace on the part of some rowdy members of a community to deter the district authorities from protecting the Hindus in exercising their rights in conformity with established local custom. The meeting also appeals to His Excellency the Viceroy to be pleased to advise the local Government to carry out the policy which His Excellency laid down in this connection as the honoured head of the Government of India. The meeting hopes and trusts that both H. E. the Governor-in-Council and His Excellency the Viceroy will uphold the prestige of the British Government as permitting law-abiding citizens to exercise their legal and customary rights without being deterred by the apprehensions of violence on the part of rowdy elements in a section of the community."

## The U. P. Government's Reply.

The reply of the United Provinces Government is as follows :—

" I am directed to reply to your telegram of the 6th inst. in which you communicate the resolutions passed by a meeting of the Hindus at Allahabad and request that the district authorities should be instructed to issue a licence allowing the Ramlila procession without any restrictions or conditions.

" The conditions imposed by the district authorities are designed to secure that music shall not be played in front of mosques at prayer time. The Hindus claim that no such restriction should be imposed and it has been sought to justify this claim on two grounds viz., (a) custom and (b) that the Hindus have a legal right and that they should be protected in the exercise of it.

" As regards the first point, general orders were issued in 1911 directing that a record should be prepared of the customs observed in connection with religious festivals throughout the province. The record prepared in 1912 stated that there was no custom of stopping music before mosques in Allahabad, but that processions were so managed as not to be in front of mosques at the time of prayer. There is no reason to doubt the accuracy of this record. And in 1915 the Commissioner of Allahabad reported that so far as could be ascertained, the processions in the past had been over by nightfall when the image of Rawan was burnt on the banks of the river about a mile beyond the last mosque on the route. Past practice, therefore, does not support the claim made in your telegram.

" The second contention rests on a misconception. It is for the civil courts to pronounce regarding legal rights and neither the Government nor the Magistrates have ever attempted to do so. All such rights, however, are subject, as has been repeatedly held by the courts themselves to such orders as may be necessary for Magistrates and police officers to pass for the prevention of disturbance. The district authorities at Allahabad were convinced in view of the recent disturbances and the temper of the people that if no restrictions were enforced, serious rioting was not only probable but practically certain to occur. No police precautions that are practicable could suffice to ensure that rioting would not occur, since it is impossible to line every street and lane throughout the city with the police. There is no reason whatever to doubt the accuracy of this view. The Government have always recognised that an unreasonable demand which would have the effect of seriously impairing any religious festival, rite of ceremony should be resisted even at the risk of a riot and the Magistrate has been instructed accordingly. But the alternative restrictions that have been imposed at Allahabad shall have no such effect. It is not in any way essential to the performance of the Ramlila that music should be played in front of mosques at the time of evening prayer. This is shown both by the record of past practice at Allahabad above referred to and by the practice in other years at other places.

" The Government regret that the Hindus of Allahabad are unwilling to accept either of the conditions imposed by the district authorities. But they consider that these conditions are justified and necessary in the interest of public peace and they are, therefore, unable to accede to the request conveyed in your telegram."



## ALLAHABAD RAMLILA PROCESSION

## Pt. Malaviya's Reply to Government.

In reply Pt. Malaviya sent a second telegram saying that the representatives of the Ramlila Committee were unanimously of opinion that they could not consistently with their duty to their community and to the residents of Allahabad in general accept either of the conditions laid down by the district authorities. In giving their reasons, the Pandit says that such restrictions constitute an unjustifiable encroachment on the rights of Hindu citizens to take out religious and other processions through public streets in a peaceable manner as they used to do from time immemorial and that it is common ground. There is no custom of stopping music before mosques in Allahabad. The fundamental right which has been openly exercised year after year with great pomp and pageant at least ever since the British rule was established in Allahabad is a matter of deep concern to more than a hundred thousand residents of Allahabad and to millions outside. It should not be adversely affected by an order of the kind in question made without any enquiry from or intimation to the Hindus. While agreeing it is for civil courts to pronounce judgment regarding legal rights, the complaint of the Hindus is by refusing licences for a second time this year, the Magistrate has virtually pronounced a decision regarding the legal rights of the parties.

In connection with the statement that serious rioting was sure to take place, the Pandit submits if the district authorities act firmly and take the necessary precautions, it is practically certain no serious rioting will occur. The Pandit is willing to offer a thousand volunteers of respectable character to work with the Police.

Lastly, the Pandit begs to state that one of the strongest reasons which has weighed with the members of the Ramlila Committee in not accepting either of the conditions in question is that they are convinced that far from obviating the trouble between the two communities, their acceptance of such conditions will become a fruitful source of fresh quarrels in the future. If the sentiment is fostered that it is disrespectful to a mosque to pass by it with music it is certain to give rise to frequent riots and to lead to much undesired suffering. It is not in the interest of good government and humanity to encourage this sentiment. The Pandit asks the Government to give the whole question its most serious consideration. After what has happened, not to permit the Ramlila procession to be taken out here even this year will be to allow resort to unlawful violence to gain its object to flout the Government and to inflict undeserved pain upon hundred thousand law-abiding subjects of His Majesty in Allahabad and of millions outside it. If the Government will allow licences to issue even up to the 12th instant the Committee will yet manage to go through the Ramlila celebrations by crowding them into four days and millions of Hindus will be grateful for being saved the pain and mortification to which they are unjustly subjected at present.

## The U. P. Govt's Final Reply.

In reply the U. P. Government concluded the controversy by sending the following telegram :—

"The Government have given your letter their most careful consideration. They regret that it should have been necessary to impose any restrictions. They had hoped Hindus would voluntarily adopt the arrangement

in conformity with past practice which would have obviated all controversy, but they adhere to the view that since Hindus were unwilling to do so, restrictions imposed were justified. Accordingly, they are unable to alter the decision already conveyed to you."

#### **THE CELEBRATION ABANDONED.**

As the above conditions imposed by the authorities were not acceptable to the Hindus, they abandoned the Ramlila celebrations, in consequence of which no procession was taken out on the 16th October when otherwise a big procession would ordinarily have been taken out. There was hartal in the city on this day, but not as complete as the organisers wished. Several shops remained open in the main thoroughfares but little business was done, many people being nervous to venture out. Extra armed pickets were posted all over the city and police were on the alert.

Reports from Calcutta, Delhi, Patna and other places indicated that the Dasara and Ramlila celebrations were performed at those places without any trouble.

### **Murder of Swami Shraddanand.**

The news that Swami Shraddananda Sanyasi has fallen a victim to a dastardly assassin was received with horror and indignation throughout the country. This melancholy event took place at Delhi on the 23rd December 1926 at 4 P.M. in the afternoon. The circumstances in which the crime was committed are exceptionally revolting. The Swamiji was just on his way to recovery after a very serious attack of pneumonia from which he had been suffering for the past some months. Only three days had elapsed since the doctors declared him convalescent. He was still bed-ridden at the time of the outrage. It was in this state of his health that the cowardly Muslim, under the guise of seeking spiritual enlightenment from the Swamiji, secured admittance into his room, got the Swamiji's servant out of the way by requesting him to fetch a tumble of water and perpetrated the foul deed. Of the magnitude of the heinousness of the crime—an unprovoked attack on a helpless, aged and revered personage in a delicate state of health—it is impossible to speak in the language of extravagance. It was black and mean as any act could be and no citizen of India can think of it without feelings of the deepest horror, indignation and sorrow. For the community in particular for whose uplift in a special sense the late Swamiji devoted the best part of his life, his loss must be deemed incalculable. The Arya Samajists will, it need hardly be said, feel inconsolable.

It would be a mistake, however, to suppose that because of the accident that his lot was cast among the Arya Samajists or the Hindus of Northern India the Swamiji had no wider interests, that he was a narrow communalist or that his services to the country at large were negligible. His "confession of faith" will, we daresay, dispel the notion that he was a Hindu partisan and not an Indian patriot. Shraddanand held that every Indian should make the welfare of the Motherland the

centre towards which all his activities should gravitate. His own activity was for a quarter of a century directed towards training select Hindu youths of the country for the service of the Motherland ; for in a real sense he was, as Principal MAHATMA MUNSHIRAM, the maker of the Gurukul, Hardwar, that unique institution to which the credit of providing efficient missionaries for Arya Samaj work is in a large measure due. Much of that work is connected with the uplift of the enslaved classes who constitute a fifth of the entire nation, and it was in connection with this work of exorcising this evil of Hindu India, which at the same time meant strengthening it, that he fell into disfavour with certain section of the Muslim community. It is a pity that activities directed towards the noble end of liberating the oppressed classes should have led to misunderstandings between certain sections of the communities. Swami Shraddananda, the virile Punjabi that he was, never shrank from his work and never allowed himself to be cowed down by hostile critics. The remarkable success which attended his campaign only made him more and more unpopular with that section of the Muslims who viewed his campaign with suspicion.

Some of the Swamij's followers might indeed seek to connect the crime with the activities of certain Muslims on behalf, as may be alleged by them, of the Muslim community. But to do so would be a serious mistake. There is not a tittle of evidence to show that the crime was anything more than the mad act of a Muslim fanatic; and, while it will be agreed that leaders, particularly Muslims, have a heavy responsibility in the matter of educating their brethren and thus saving them from falling a prey to ignorance and fanaticism leading to crime, no far-seeing patriot can draw inferences " incriminating the hole Muslim community " because of the dastardly act of a mad Muslim. We know—the country knows—it is a heavy blow to the Hindus of Northern India; every responsible Indian, no matter what his caste or creed is, will sympathise with them, especially because wisdom demands of them that, far from giving way to foolish panic and unreasoning anger, they should bear this calamity with manliness, courage and firm faith in the good sense of their countrymen. We are glad to note that leaders, both Hindu and Muslim, have viewed the incident in the proper perspective. The lot of these two communities is cast by inescapable destiny in a common motherland ; and commonsense must dictate to them that one community cannot suppress the legitimate rights of the other by resort to murder and terrorism. No leader worthy of his salt can ignore this fact ; and the country demands of each one of them to recognise his heavy responsibility, wean his followers from the path of violence in deed as well as in word and thought, which is the path of certain destruction, and lead them on to the path of justice, patriotism peace and their natural concomitant, prosperity. The shadow of an irreparable loss hangs heavy over us ; let us not add to the poignancy of the calamity by thoughtless words or deeds born of panic or imaginary fears. (From the Hindu, Madras.)

# The Patuakhali Satyagraha.

The following are extracts from the very informing report submitted by Sj. Piyush Kanti Ghose to the Hindu Relief Committee and published in the Amrita Bazar Patrika of Calcutta :—

The Satyagraha at Patuakhali, like many other awkward spectacles as seen in our country is, in reality, the offshoot of a very simple incident—an incident which might have been easily avoided.

The story of the Satyagraha can be told in a few words. Since sometime past the feeling between the Hindus and the Mahomedans were getting more and more strained at Patuakhali. Previously the local Mahomedans never slaughtered any cow within public view. This year, however, this time-honoured custom was done away with and during the last Bakr-id they slaughtered as many as four cows in four different places of the town all open to public view and near public thoroughfares. This profoundly wounded the feelings of the Hindus. The matter was further aggravated as a few Government officers (all Mahomedans) were found to countenance the action. The Hindus by way of retaliation, started a Sankirtan party that very day and led it through a public road near a mosque which they did not do for about 5 or 7 years out of good feeling towards the Mahomedans. This created further trouble which went on from bad to worse till on the occasion of the last "Janam Ashtami" the Hindus wanted again to lead a Sankirtan party through the same road. As the Assistant Superintendent of Police had, in the meantime, issued a number of personal and general notices asking the Hindus to apply for license if they wanted to start any procession, an application was made for the purpose. The A. S. P. imposed certain restrictions in the license asking the processionists to stop music in certain parts of the main road which lay near the mosque referred to above. The Hindus claimed their right to have unrestricted use of the public road for religious procession and Satyagraha was started.

According to the wishes of the A. S. P. a license is obtained daily since the last "Janam Ashtami" day to start a religious procession singing Sankirtan accompanied with drums and symbols and flags flying. The restrictions with slight alterations are imposed in the license. The restricted area is daily guarded by a posse mostly of armed constables about 75 in number, and at times going up to 100. Some of the constables line the prohibited portion of the road on both its sides and a large number wait at the other end of this area in a group accompanied by the S.D.O., A.S.P. and a few other Police officers. According to the time stated in the license the processionists start from the local Kalibari at about 5 in the afternoon or some times earlier singing Kirtans accompanied by music. On reaching one end of the restricted area the processionists who are followed by a large concourse of people stop but continue their music and sing with great gusto for about half an hour or more. As the place is not far from the new mosque which is now being principally used as a place of prayer our Mahomedan brethren stand in a line on its verandah which is just in front of the spot and regale their ears with the celestial music of the Hindus. After the processionists have danced and sang to their heart's content till they are tired and have treated our Mahomedan brethren with their sweet music which is as strongly audible from the mosque as from other parts of the road, four of them with a yellow band on which "Satyagrahi" is inscribed rush forward singing the same song till on their arrival at the other point they are arrested by the Police and led to the Thana. After being detained there for a few hours they are released on proper surety. The main body of the processionists then turn round and move about in different parts of the city singing kirtans till dusk. This is now being daily enacted at Patuakhali.

Up till now i. e. 15th September 1926, 85 arrests have been made and a special Magistrate has been deputed from Barisal to try them. They are to be tried under sections 80 and 82 of the Police Act and the trial of a few of them has already begun.

This Satyagraha movement has created a good deal of local sensation. The leaders of the District are anxious to bring a termination to the unhappy state of things as early as possible but a considerable section of the younger people are determined to carry it on to a successful end.

## THE PATUAKHALI SATYAGRAHA

One thing to be noted in connection with the Satyagrahis is that they are perfectly peaceful and non-violent in character. They honestly believe that they are not defying the Government but are fighting for a principle which they believe will be ultimately settled in their favour.

Having heard of disquieting news from Patuakhali from private sources I immediately started for the place and arrived at Barisal on the 11th September. A meeting was arranged the same afternoon and the whole question was discussed at length with the leaders of the district town. The general consensus of opinion was to stop Satyagraha if that were possible and to institute a Civil suit for the declaration of the right of the Hindus to lead religious processions over the main thoroughfare of Patuakhali near which, unfortunately, two mosques stood. It was arranged that five prominent leaders of Barisal would proceed to Patuakhali the same evening and I was requested to assist them in arriving at a right conclusion in the matter after local enquiry.

Early next morning we inspected both the new and the old mosques which are only a few yards distant from each other, the locality and the area restricted for the passing of procession with music. On our return we held a conference with the Hindus who were conducting Satyagraha here or were generally in favour of the movement. They numbered about 500 and belonged to all professions and castes of the Hindus. We then ascertained the views of those who were against the movement and who were about half a dozen in number at different sittings. I am glad to say that about a dozen Mahomedan gentlemen of the town, all leading men, also gave us the benefit of their view of the troublesome question on invitation. We also saw the local officials including the Sub-Divisional Officer and the Assistant Superintendent of Police. In our round through the streets we had a chance of meeting stray people belonging to different ranks in society and ascertaining their views.

### The Hindu View.

The Hindus maintained that perfect good feeling existed between the two communities before but since the past few years the Mahomedans were found to put them into disadvantage in every matter by a series of events that occurred. In every case they had to lose ground and if this was allowed to go on unchecked their very existence would be impossible. They made a free gift of land for the erection of the Mosque and the boarding house of the Mahomedans and what do they find to-day? They are not to be permitted to lead their religious processions by the side of a piece of land which they made over to the Mahomedans out of charity. The word "custom" on which the Mahomedans take their stand now originated out of their eagerness to maintain cordial relations with them and abstaining from their playing of music on certain occasions near the mosque for the last 5 or 7 years only. If they had shown charity and good feeling towards the Mahomedans at one time out of their weakness and as a result had lost much of their rights they were not willing to follow this mistaken policy any further.

The Hindus, thereupon, gave some specific instances where their rights were curbed at the unreasonable attitude of the Mahomedans. Some of these may be mentioned here in brief. The local Hindu students had been performing their Swaraswati Puja freely for many years in the two schools of the town, but year before last objection was taken to this by the Mahomedans and the places of the performance of the Puja had to be shifted. During the last Durga Puja celebration in the Jubilee School a theatrical performance was arranged and leaflets were naturally printed with the word, "Puja Performance" on the headline. Objection was taken by a Mahomedan student with the word thus printed and in the disturbance that arose the performance had to be given up at the eleventh hour. Slaughter of cows in public view near public thoroughfares which was never done before and two Mahomedan officers taking an active part in the matter further exasperated the Hindus. There were also objections to Sankirtans being held in Hindu houses near one of the mosques.

The small party of the Hindus who are opposed to Satyagraha gave the following reasons in support of their views :—(a) The place is pre-eminently unfit for such an action as more than 90 per cent of the inhabitants of the Sub-Divisions are illiterate Mahomedans who could be easily led by designing persons to do mischief. (b) The movement was unnecessarily endangering the lives and properties of the Hindu inhabitants. (c) Methods like this have not the sanction of the Hindu-Mahasabha and the Congress. Had it been so sanctioned the Hindu population might have some guarantee for suitable compensation for loss of life and property. (d) It is not sanctioned by the thinking and considerate people of the town. (e) Such a course has not been adopted anywhere in India. The gentlemen belonging to this party are of opinion that compromise with the Mahomedans is the only course open to the Hindus even at a sacrifice.

It may be noted here that the son of a member of this party offered Satyagraha and his case is pending.

#### The Mahomenan View.

There are not two parties among the Mahomedans and they are all strictly of the same opinion. They frankly confessed that religion was not the real point at issue. They complained that they had no voice in the public bodies of the place, such as the Municipality, the Schools, the Local Board, the Hospital, the Dispensary and the Bank where the Hindus predominated and as a result the Mahomedan interests suffered. On questions being put they admitted afterwards that this could not be said of all public bodies. In regard to the present difficulty they pointed out that it was the custom here to stop all musical processions before both the mosques since their foundation and they expected the Hindus as their elder brethren not to interfere with the arrangement. They further pointed out that the present quarrel was not between the Hindus and themselves but between the authorities and the former. So if, at this stage, they accepted any terms proposed by the Hindus they would be accused by their own people for having given away some of the rights. But if the Government enforced any conditions on them they would willingly accept them as in that case no body could be blamed. If the Hindus could establish their rights through Civil Court they would not have any objection.

#### Official View.

The officials both at Barisal and at Patuakhali express in some respect the same version of the matter as the Mahomedans and those who are against the Satyagraha. The officials hold that it is a fact that during the last "Id" a cow was killed in an open place, but that could not be sufficient justification on the part of the Hindus for such retaliatory measures in breaking a custom which prevailed for the last 20 years. The movement was being led by Satindra Nath Sen with a small following. There was nothing sensational in the whole matter and things were being peacefully managed by the authorities. It was only to protect the Hindus that a large police force had been requisitioned. If this would not have been done the consequences would have been serious, as the Mahomedan element of the worst type predominated in the Sub-Division, the number of Mahomedans being about 95 per cent of the total population. They accused the Hindus as the aggressors and pointed out that they might be made liable for meeting the cost of Punitive Police if it is found necessary to station it at Patuakhali.

There are two mosques at Patuakhali with which the present trouble is connected. The new mosque which was built in 1914 and is more spacious and better in every respect than the old one in situated on a bye-lane and is at some distance from the main road. The Hindus, therefore, do not at all take into account any assertion that musical processions on the main road could be stopped on the score of this mosque as they have no business to go into the bye-lane on which it stands. The old mosque which was built in 1887 is a tin shed and is also situated on another lane which is a blind one. On account of its closer position to the main road there might be some reasonable objection to music being played on it during the time of prayer. But since the erection of the new mosque at a more convenient place and having a broad verandah in front and other conveniences and being only a few yards from the old one the latter got into disuse and was no longer resorted to as a public place of worship. The Hindus, therefore, maintain that there should be no restrictions to music on the main road on the score of this mosque too.

#### The Leader of the Satyagraha.

The reader might be inquisitive to know as to who started Satyagraha at Patuakhali. This has now been the only topic among both the Hindus and the Mahomedans throughout a district where communications between its different parts are rather difficult. Whatever might be spoken of him in police enquiry reports and in those of officials, such as, an insignificant fellow with a small following, etc.,—the originator of the movement, so far as I could ascertain after my enquiries, is really a man of parts, who carries immense influence in the district. It is even said of him that youngmen, who are his direct followers and who could be counted by hundreds, would gladly give away their lives at his merest wish. Though a youngman of about 30, he has grown in experience and intelligence beyond his age after having gone through the test of bureaucratic wrath more than once. Simple, straight-forward, strictly righteous and at the same time, beaming with intelligence, many no doubt find it hard to lead him astray and, therefore, he has some enemies too who are naturally jealous of his leadership. But this so often stands in good stead in making him follow a path that is honourable, dignified and above all moral,

## THE PATUAKHALI SATYAGRAHA

The name of the youngman is Sriman Satindra Nath Sen, and he is the Secretary of the District Congress Committee. He, in brief, is a Swadeshi worker from the time of the old Swadeshi days. He was interned for a long period. Coming back from his internment he took up non-violent non-co-operation work in right earnest and was sent to jail for two years. In jail he started hunger-strike and continued it for about 40 days. His present occupation is, therefore, only in conformity with his past career.

### The Satyagrahis.

Trained under the leadership of a man who has gone into the very core of non-violence the Satyagrahis are absolutely non-violent and perfectly peaceful in character. Indeed so far only youngmen, mostly students, who have some amount of education and ordinary intelligence, are carefully selected for Satyagraha. They are also given a special training for the purpose. They are taught music mostly of a devotional character. They are made to recite such ennobling Vaishnava couplets as, "Nitai Gour Radhey Shyam Harey Krishna Harey Ram," etc., and they are enjoined to show Vaishnava spirit and humility in everything they do. 'Harinam' is sung for about an hour to the accompaniment of Khol and Kartal and most of them are transported to an ecstatic condition. When brought to this frame of mind, indeed when they become incapable of hurting even a fly, four of them, specially selected for the purpose, are allowed to transgress the forbidden border and are immediately arrested, and while still singing the songs they are led to the police station where the particulars of the arrested persons are recorded.

### A Few Other Peculiarities.

Indeed there are also other peculiarities in the nature of the Satyagraha that the people of Patuakhali are offering and which should not be lost sight of. They do not admit that they are offering passive resistance because they do not defy or resist any law of the land. They honestly believe that there is no law which forbids music before a mosque. Only a restriction is put in the police license whereby music in processions is forbidden in some portion of a public thoroughfare. Even this restriction, they hold, is not in accordance with any provisions of the Police Act. They consider it as a mis-application of section 80 of the Police Act. They regularly apply for a license according to the order of the local authorities. They also obey the authorities if they wish that the time for the procession should be changed. They don't apply the least force to push their way into the restricted ground. Indeed, if the Police obstruct their passage, they are found to stop at the place and continue their music. When arrested they never show any force but carry out with all humility all that they are asked to do. Their only object seems to be to defend their rights and no more.

Then, again, they avoid the section 144 of Cr. P. C. and do not form an unlawful assembly by increasing their number beyond four. They not only form the processions absolutely unarmed but not at all in an offensive spirit to rouse their co-religionists to any acts of violence or commit any breach of the peace. Indeed by their behaviour they show to the Hindus that the best possible way for them would be to maintain peace and order at any cost. If any breach of the peace is possible, it may come from the side of our Mahomedan brethren. And this view is supported by the officials too.

The Satyagrahis do not cause any provocation—not only to the authorities but to our Mahomedan brethren also. This may be proved by the following instance in point.

A municipal road meets the main road on the river-side in the north-western corner of the Civil Court compound. As I have already said, the real public mosque of the town is situated on this municipal road on the bye-lane, as I have mentioned. The mosque stands more than 200 cubits off from the main road which is the route of the Hindu processions. The police license allows processions along this municipal road and forbids them only in the portion directly facing the mosque. Now the Satyagrahis never go with music along this municipal road. If it had been the aim of the Hindus to retaliate and irritate the Mahomedans or harass the authorities, they could easily divert their processions to this road and attempt to pass by the public mosque thereon. In the beginning of the Satyagraha movement, the authorities apprehending a possible attempt of this nature on the part of the Hindus, had a large force of constables posted on the said road both at its northern and southern approaches to the mosque there, but as the Hindus did not lead any music on the road the practice was abandoned.

**INDIA IN PARLIAMENT**  
**and Abroad**

**July-December 1926**





# The India Office Estimates

HOUSE OF COMMONS—THE 20TH JULY 1926.

At the House of Commons on the 20th July 1926 EARL WINTERTON, the Under-Secretary of State for India, in presenting the India Office Estimates to the Supply Committee, made a long speech on the political situation in India and the position of the different parties in the country.

The Noble Lord said his task to-day was happily to present a satisfactory picture for the past four years, but it was more dangerous to make predictions about India than any other country and it might well be that a number of untoward incidents might occur materially to reduce the hopefulness to anxiety. Communal dissensions among sections of the population, which were of a very acute development might easily affect the slow and steady growth of prosperity and sense of security. He emphasised that no Government, however powerful, could prevent the evil effects of sustained and bitter strife among different sections of the population from injuring the well-being of the whole population. The Government of India was doing its best to prevent the struggle from becoming one of illegal violence, but it could not prevent the sources of bitterness and distrust from polluting, in degrees varying with their intensity, every department of human endeavour with which they came into contact.

Earl Winterton described the political history of India during the past 9 months as a progressive disintegration of the Swarajist party. He remarked that the personal relations between the Government representatives and non-official members, not even excluding the Swarajists, had been increasingly cordial during the last two years despite the apparent cleavage in their views and despite Indian newspapers' abuse of Lord Reading's actions. The Marquess and Marchioness of Reading were the subject of really remarkable tribute by the Council of State although the composition of the Council appeared to be much less representative of the right wing or of the Pro-Government view than its predecessor.

Referring to the elections in autumn Earl Winterton said the present indications pointed to an appeal to the electors on frankly communal lines for the advancement of the interests of the followers of the creed rather than those of the country generally. It was permissible to hope for the emergence of a strong united party prepared, without surrendering any ultimate constitutional ideal, to co-operate with the Government in carrying on the administration. But, said Earl Winterton, the administration would be carried on whatever happened. How then, asked Earl Winterton, was India or anyone bettered if some of the best brains in the country declined to contribute to the national welfare? Obviously that question was for India herself to answer. All we could do was to hope that the answer would be clear and definite.

Earl Winterton reviewing the conditions in India during the past year remarked that there had been no important development of the Bolshevik activities but communal tension had steadily increased during the past four years and now constituted the gravest menace confronting the Government. He emphasised that a formidable number of actual conflicts between the members of the two great communities during the past four years was only a fraction of the total number of the cases of communal friction which might have developed into actual hostilities but for the increasing precautions of the Magistrates and the Police Officers. He referred to the indulgence in open recrimination by the leaders of the two communities as a new and dangerous feature of the situation and said that it was idle to look for reconciliation between the rank and file when the leaders were openly at variance.

## Effect of the Montford Act.

Referring to the effect of the Montford Act in increasing the communal tension, Earl Winterton said that that, in itself, was no condemnation of the Act unless one took extreme view that the progressive devolution of the functions from the British to the Indians was a wrong policy and as far as he was aware not even the most rigid oppo-

nents of the Act took that standpoint. The Accentuation of Hindu-Moslem cleavage could not have been avoided by any system of extension of Self-Government. It was for the Indians themselves to show how far they could overcome in the future this great obstacle in their progress and unification—the greatest obstacle existing to-day.

Earl Winterton declared that an Impartial third party, the British troops in India, was the most effective safeguard against the communal tension developing into a wholesale massacre. The monstrous accusation of the extremist organs in India that the British members of the Government and the British officials instigated or refrained from taking effective steps to prevent communal riots and violence was devoid of all foundation.

Referring to the "Very remarkable and very eloquent" speech of Lord Irwin, Earl Winterton hoped that his wise and weighty words would be acted upon by the leaders and their followers throughout India.

#### Trade and Finance.

Turning to the "Brighter side of the picture" namely, trade and finance, Earl Winterton denounced the extremist cry of exploitation of India by Britain as absurd. He remarked that, undoubtedly, if Britain could reduce costs of production, she would find in India a ready market for far greater volume of manufactures than she was prepared to take at the present level of prices. He said that the presentation of a balanced budget for the fourth year in succession, with further relief in the matter of taxation and remissions in favour of the provinces, was generally recognised as an indication of a sound financial position built up by the Government of India during the last few years. Sir Basil Blackett had every reason to be happy when he compared to-day's financial position with that of a few years ago.

The success of the rupee loan showed the high esteem in which the Government of India's credit stood while the fact that the yield of the representative Indian Government securities in London was about five per cent, showed that India's credit in London was fully as high as that of the Dominions and indeed second only to that of His Majesty's Government.

Earl Winterton hoped that the Currency Commission's report would be in the hands of the members before recess. Meanwhile he declined to anticipate its contents. He hoped that wireless telegraphic communications between India and England would be established within a few months.

Referring to the Government of India's decision to extinguish the exports of opium except for medical and scientific purposes by annual reductions, Earl Winterton emphasised that the decision which had been taken with the hearty concurrence of the Secretary of State must not be regarded as a sudden death-bed repentance. On the contrary it was the culminating point of a series of measures taken in the past to regulate and restrict the export of opium from India. Emphasising the differences in the styles of living of Indian and Western workers, Earl Winterton said that no effort should be spared to better the conditions of Indian cities where overcrowding and disease followed in the wake of the industrialism. He paid a tribute to the many excellent housing schemes developed by enlightened industrialists in India. He hoped there would be no respite in their good work, while the Indian worker must be educated to take advantage of the better conditions.

Earl Winterton, referring to the military matters, pointed out that the Army expenditure had been reduced without the loss of efficiency. A good deal more must be done before the Army in India could be said to be properly housed.

Referring to the Frontier he said that he saw no reason why, if we continued to carry out the present policy, Waziristan should not become as peaceful as Baluchistan.

#### I. C. S.

As regards the Lee Commission recommendations in respect of Civil Service he was pleased to say that a decision had been reached in the case of almost all the officers appointed by the Secretary of State. Most of the recommendations from the Government of India and the local Governments in respect of them had been received and were being considered and the rest were expected shortly and all possible steps were being taken to expedite the decision. The position with regard to the recruitment to Indian Services continued to improve satisfactorily. The entry for the Civil Service Examination in August was 183 compared with 184 last year. The former total included 93 Europeans, compared with 71 last year and 81 out of 93 had entered for the Indian Civil Service only. There had been no falling off compared with the standard before the war in the academic attainments or personal fitness of the candidates selected.

Earl Winterton said that he had just seen a most favourable report regarding the calibre of the candidates to the Police Service this year. He paid a very high tribute to Handyside (who died in the Frontier action against outlaws) characterising him as the true type of Elizabethan chivalry and courage. He said that he had now entered immortality which the Frontier tradition conferred only on great bravery, great generosity and great honour. There he would stand with Nicholson and Rookkappel. Earl Winterton was sure that Britain would continue to send such best men to the fields of honourable and onerous service in India.

#### South Africa.

Earl Winterton said that a year ago the question of the Indians in South Africa reached a critical stage. Opinion in India and of Indians in South Africa was excited and alarmed. The whole situation was changed as a result of the Deputation to South Africa. The Conference would be held between the two Governments at the end of the year to explore all possible methods to arrive at an amicable solution of the very difficult problem. The Government of India was to be congratulated on the ability and the patience with which it had conducted the prolonged negotiations. These qualities with the conciliatory spirit of the Union Government had at length made possible a meeting of the Conference to discuss the whole problem. Whatever the result of the Conference it would at least meet in far more favourable atmosphere than until recently had seemed possible. It was not desirable for him to say more lest the word tends to dissipate the atmosphere of conciliation and reasonableness which had gathered round the problem and be appealed to the House to follow his lead in this respect.

#### The Labour Attack.

Messrs. Thomas Johnston (Labour Member for Dundee) and Ernest Thurtle (Labour Member for Shoreditch) were not, however, to be caught napping over such an important question and tackled the Earl so well while on the question of the Burma detenus' statement that he could only get out of the uncouth situation by pointing to the clock and saying, "I cannot attempt to satisfy the Hon. Gentleman opposite on that point, and I have not time to do so".

MR. THURTLÉ in his speech said :—

"Before I develop the one point with which I wish to deal, I would like to call attention to the very unsatisfactory condition in which India finds itself in its relations with this House. Although the House exercises supervision over the administration of India, and although we are under a solemn pledge to give the people of India real Self-Government at the earliest possible moment, it is only by an accident, as it were by an afterthought, that we happen to be spending one parliamentary day in the Session in discussing this great subject of India. I am not going to say that that is the fault of anyone in particular. It is inherent in the way in which our Imperialist organisation is built up. The Members of this House are very naturally much more concerned with domestic issues than they are with Imperial issues. Domestic issues like the coal dispute are very acute, and they are often very urgent, and it is only natural that hon. Members should think much more about those issues than about a great question like the Government of India, with its 300,000,000 people. The moral of that is that it is the duty of this House at the earliest possible moment to divest itself of a responsibility which it cannot properly discharge, and it should take the earliest opportunity of giving to India the real self-Government which the people of that country want.

#### Condemned on Untested Charges.

The point with which I wish to deal is the internment of political prisoners in India without trial, and here I would like to express my astonishment at the attitude taken up by the Noble Lord, the Under-Secretary just now, when my hon. Friend the Member for Dundee (Mr. Johnston) made a statement about the "agents provocateurs." He said that an inquiry having been made by the officials concerned, without the accused men having been heard, that inquiry was quite sufficient for him, and he wanted no further evidence. I am astonished that the Noble Lord should take up such an attitude. I always regarded him as being a type of fair-minded Englishman. (An Hon. Member : "So he is.") Well, it does seem to me curious that he should regard an "ex parte" inquiry by a set of officials as being satisfactory and as justifying him in calling these two

men criminals. I wonder how the Noble Lord himself would like to be called a criminal if certain charges were made against him by people unknown to him, if the soundness of those charges was investigated, in his absence, and he was not entitled either to speak himself, to cross-examine the people making the charges, or to have someone there to perform this function for him. If in those circumstances he were found guilty, I am sure his blood would boil if someone afterwards called him a criminal, and I think he ought to be a little more circumspect than he was just now in using that most offensive term against citizens of the British Empire who have been charged with offences of which they have never had a fair opportunity of clearing themselves. Charges have been made, but they have never been expressly formulated and their soundness has never been tested in a court of law.

#### Intimidation of witnesses—a Myth.

I submit to this Committee that the Bengal Ordinance, which we are considering, is a great blot upon the Government of India. It runs counter to the very elementary British principle that no man should be condemned unheard, but, as the Noble Lord told us this afternoon, there are some 130 British subjects who are at present under one form of restraint or another in India, who have been condemned without being given the slightest opportunity of proving whether or not they were innocent. The justification for this Bengal Criminal Ordinance Act was the statement that the ordinary common law would not be effective in dealing with these particular cases. It was said that if the cases were tried in the open court, there would be intimidation of witnesses and there might be violence offered to witnesses, but it is perfectly true, as my Hon. Friend the Member for Dundee said—and I challenge the Noble Lord to produce any evidence to the contrary—that the authorities in India have not been able to adduce a single case in recent times—that is, since the Bengal Criminal Ordinance Act came into force, and even for two years before that—in which there has been any intimidation of witnesses. The Noble Lord says he is prepared to produce evidence to show that intimidation has been taking place but if he does that to-night he will be doing something which the Government of India have been unable to do in the Legislative Assembly and I should hear that evidence with very great interest.

#### Unfounded Charges.

I want to suggest to the Committee that there was absolutely no justification at all for applying this exceptionally suppressive measure to India. There is no proof that the ordinary law has broken down. It was said, for instance, that there was a great deal of smuggling of arms, ammunition, and explosives of one kind and another going on, and the warrants which were issued for the search and arrest of these men expressly stipulated that they were intended to discover arms and explosives in the residence of these men. The searches took place, and there was not a single bomb, revolver or explosive ingredient, nor indeed a single revolutionary document, found in the houses searched. There is one particular point which could be tested, and what was the result? The Commissioner of Police for Calcutta, Sir Charles Tegart, who was then Mr. Tegart, admitted a few days after the raids had taken place that not a single revolver nor any explosive or bomb had been discovered in these houses. That is an indication of the amount of substance there is in the charges against these men. One was smuggling of arms and ammunition, the other was revolutionary conspiracy to overthrow the Government by violence and the third was conspiracy to assassinate Government officials. The Committee ought to remember the kind of men who have been arrested on charges of this sort. There is the Chief Executive Officer of Calcutta Corporation, a man of great culture, of great refinement, of unimpeachable character. Is it at all conceivable that that man has been conspiring to assassinate Government officials? There are many other men of his type among the prisoners. I do not think the Noble Lord or anyone else could seriously suggest that men of that type were really involved in criminal conspiracy.

#### Challenge to Produce Evidence.

The Government is said to have got evidence. I would like the Noble Lord to tell us what kind of evidence they have got. Have they any documentary evidence? If they have, I hope he will say so. If they have not, I hope he will say what kind of evidence they are relying upon. Presumably they are relying upon verbal statements by some people who may or may not be enemies of those charges. The Noble Lord knows enough about human nature to know that motives of jealousy or hatred may enter into statements of that kind. It is quite conceivable that some of the brilliant young men in the

Swarnajist Party have made enemies and that these enemies have taken the opportunity of bearing the witness against them. The only way of testing whether such charges are false or true is by examination and cross-examination. In a British Court of Law the unsupported evidence of a witness is not accepted until it has been subject to examination and cross-examination. None of this evidence has been subjected to that. It is expressly forbidden in the Ordinance that either these men or their representatives shall be entitled to be present when their cases are being heard. I do not know what the constitutional lawyers of this country think of procedure of that kind, but to me as a layman it seems a gross outrage on elementary British justice.

#### Chorus of Condemnation.

A very distinguished public servant who had a long and honourable connection with India, said something about it in his time. I refer to Lord Morley. In 1908 there were deportations from India without trial and Lord Morley, who was then the Secretary of State for India, was very concerned about what was happening. He wrote on the 18th November to Lord Minto who was then Viceroy :

"One thing I do beseech you to avoid a single case of investigation in the absence of the accused."

All these cases to which I am referring are taking place in the absence of the accused.

"We may argue as much as we like about it and there may be no substantial injustice about it, but it has an ugly, Continental, Austrian, Russian look about it."

In 1909 there was active agitation among the members of the Tory party themselves against these deportations without trial. In that year Lord Morley wrote, and it is of great interest in view of who is the present occupant of the position of Secretary of State for India :

"In the last fusillade of questions at the beginning of the week, a very clever Tory lawyer, F. E. Smith, the rising hope of his party, joined the hunt, and some of the best of our men are getting uneasy. The point taken is the failure to tell the deportee what he is arrested for, to detain a man without letting him know exactly why, to give him chance of clearing himself. In spite of your Indian environment, you can easily understand how distasteful is such a line as that to our honest Englishmen with their good traditions, and you will perceive the difficulty of sustaining a position so uncongenial to popular habits of mind."

#### What Lord Birkenhead Thought in 1909.

But I think I can produce even better authority than that. This question was asked on the 23rd May 1909 :

"Has the evidence against the prisoners concerned been made known to them so as to give them an opportunity of explaining or dealing with it?"

That is a very pertinent question, which I would have been proud to put myself. It was not put by me, however; that question was put by Mr. F. E. Smith, now Lord Birkenhead. Again, he asked another question which shows how he, as a constitutional lawyer, soaked in the British tradition that a man should not be tried and punished unheard, was very concerned and disturbed at what was happening at the time, which is something analogous to what is happening now. He asked :

"Will the right hon. Gentleman say what is the objection to informing the persons who have been deported as to the evidence and the grounds upon which they have been deported?"

#### Demand for Release or Proper Trial

I am prepared to rest my case on the authority of the present Secretary of State for India. What was good law in those days, what was good constitutional usage, what was good doctrine of ordinary British justice is equally good to-day. I am prepared to support him in demanding that these men should either be released forthwith or be given an opportunity of proper trial according to the conception of British justice on the attitude taken up by Lord Birkenhead in those days. It is said that every man who has been charged is a member of a terrorist organisation. We might ask just as a small act of justice whether he would not give the name of the terrorist organisation referred to. That cannot incriminate anybody. There is no witness involved to be subjected to violence afterwards if he gives the name. I would invite him to do so as proof of the bona-fides of the Government in the matter. I would remind him of this—it may not be true, I have no foundation in fact—but there is an ugly suspicion abroad in India that these men are being taken and interned not because there is any reality in

the charges formulated against them but because they were particularly able and active members of a political party which was becoming a great menace to the powers that be in India. If he would clear my mind and the minds of many people in India of that suspicion, he should at least be prepared to tell us the name of the terrorist organisation.

My final word is this, These men have now been interned, and have had their liberty taken away. I do not care what internment it is, but their liberty has been taken away for nearly two years and they have had no chance of defending themselves. How much longer are they to be kept in this position? Is it the intention of the Government of India to keep these men interned for the rest of their lives? Not even the Noble Lord—die-hard though he may be—is prepared to get up in this Committee to-night and say that these men are to be interned without trial for the rest of their lives. That brings us to this. That some time or other the Government must say that these men must be released and come to trial according to the ordinary perceptions of British justice. Therefore, I invite the Noble Lord to urge the Government that they must come some time or other to say that there shall be no further delay in the matter but that for the credit of our British justice and the credit of our reputation in India these men in the near future shall either be brought to trial or set at liberty.

Mr. JOHNSTON in the course of his speech said :—

"I rise, however, particularly to discuss a subject which has not been discussed this afternoon. The Noble Lord himself, in his introductory statement, skated over the subject. I compliment him on his statement this afternoon and on the number of the subjects he was able to deal with in a smallish way in the time at his disposal. But I must say that I admire him when he is more natural than he was. His loquacity was restrained this afternoon, and I admired his politeness and affability. Personally, however, I prefer him when he is more pugnacious. Probably I shall succeed him in making him more pugnacious before I am finished.

No charge against Mr. Subhas Bose.

I want to refer to the subject of deportation of persons without trial, without even a charge levelled against them. I want to take one specific case as an illustration—the case of Mr. Subhas Chandra Bose, the late town clerk, or Chief Executive Officer of the second city of the Empire, Calcutta. The Chief Executive Officer really means an official like our town clerk. Mr. Bose a year and nine months ago was arrested under the Bengal Ordinance, or, I think, it is Regulation No. III of 1818 passed at a time when the descendants of the Grand Mogul sat on the throne of Delhi. The Regulation was passed to deal with foreign Powers, with trouble on the frontier, perhaps with French emissaries. Mr. Bose was arrested, put into gaol, and has lain there for a year and nine months. No charge has been preferred against him to this day. No charge was levelled against him, and frequent attempts have been made in this House and elsewhere to extract from the Noble Lords a reason, a justification for his imprisonment without charge or trial. It is non-British and inhumane. So far we have failed to obtain any satisfaction. When this Ordinance was being passed the late Viceroy, Lord Reading made this statement :

"This Ordinance is directed solely to those ends, and will in no way touch or affect the interests or the liberties of any citizen, whether engaged in private or public affairs, so long as they do not give themselves up to criminal methods."

I am not concerned to deny that the Government of India have arrested persons under the Ordinance guilty of violent agitation, or agitation which made for and ended in violence. I do not deny that. But what responsible people in India do deny is that there is any discoverable person or justification for arresting the town clerk of Calcutta and confining a man like him in gaol for 21 months without any charge.

Agents Provocateur.

Let me take this evidence. I have here a statement signed by two other persons, Bhupendra Kumar Dutt and Jiban Lal Chatterjee. It is to the following effect :

"When we first joined the Indian National Congress and the N. C. O. movement we found mixing freely with the young men of the country, amongst others, a certain person whose name we are ready to disclose in case of a proper and impartial inquiry into this most serious affair. We have knowledge that while previously locked up in gaol as State prisoner, this man, along with some others of his ilk, was in touch with and helping the secret service even from gaol. While the non-violent N.C.O. movement was at its full swing he was inciting—trying to incite—young men to form a party of violence. He tried to persuade even some of us to take up the leadership of such a

party as against the party of non-violence N. O. O. which, according to his preachings was doing immense harm to the country. Failing to instigate persons who knew something of men and things, he began to characterise those persons with having turned moderate, and we know that with an amount of oratory and support and financed by dark powers from behind, he succeeded in getting together a batch of young men. We had very strong reasons to believe that whatever political violence has been committed in Bengal after the non-co-operation movement is the activity of this group consisting of the innocent dupes of this "agent provocateur," and was incited and engineered by him."

Here is a criminal evidence. The writers of this letter were prepared to give the man's name if need be and everything about him. The name, I think, came out in Court, but for good reasons, doubtless, the matter was not pressed by counsel for defence.

#### "Czarist Proceeding"

Here is a definite allegation. It is a definite allegation of a Government agent inciting young men to violence. Is it, we are entitled to ask, on the strength of suborned evidence, that men are landed in gaol? We are entitled to ask that question. It is an anomalous proceeding. It is a Czarist proceeding. The great Czar of Russia got hold of the Intellectuals and sent them off to Siberia. But the British Empire cannot last on this kind of thing. If this man had committed crime he ought to have been brought to trial. Let such men be charged! I know what the answer will be in the case of Mr. Bose and men of his type or kind. It is that if they were brought to trial then the witnesses and others would be murdered. But I have firsthand knowledge from the Chairman of the Swarajist party who says that strings of cases can be produced, tried by Indian Judges and Indian juries, with Indians witnesses, where the accused was found guilty and where no harm has come to the witnesses or to the jurors. It is declared that there is no evidence whatever of any violence to witnesses or to jurors unless the Government goes back for almost 18 years.

#### The So-called Enquiry.

Earl Winterton: This is a definite charge and deals with some persons of the Hon'ble Member's acquaintance. There was an inquiry into these allegations, and they were found to be utterly unfounded. I cannot give instances at the moment, but I will in my reply give numbers of cases where the witnesses had been interfered with.

Mr. Johnston: I will take the first point of the Noble Lord. An appeal was sent from gaol to Lord Reading. I understand the Noble Lord to say that these statements have been examined by him personally.

Earl Winterton: Yes, I saw the allegations that were made. They were without foundation.

Mr. Johnston: May I ask the Noble Lord when that inquiry was held? Were these two prisoners represented at the inquiry? Was their evidence taken or was an "ex parte" inquiry held in their absence?

Earl Winterton: If the Hon. Member takes the view, which is very much favoured by his party on this question, then it is useless for me to argue. What I say is that an inquiry was held by the proper authority and the allegations were found to be devoid of all foundation.

Mr. Johnston: Did some officer of the Government make an inquiry into the definite statement made by these two men?

Earl Winterton: Two criminals in goal made allegations against the authorities, and those authorities, in accordance with the practice of inquiry into such allegations, made full inquiries and those allegations were found to be without foundation. I know that will not convince the Hon. Member, because he suffers from the delusion—

Mr. Johnston: I want to know, Captain Fitzroy, if that is a Parliamentary expression, and I would remind the Noble Lord that two can play at that game.

The Deputy Chairman: The Noble Lord did not say anything which is out of order.

#### "No Justification for these Arrests."

Mr. Johnston: The Noble Lord has been very ungentlemanly, and if he wants that kind of fighting he can have it. There has been no impartial inquiry at all into this matter, and to say that an inquiry was held by some officer, who may perhaps have been implicated in organising agents provocateur, and to hold the inquiry in the absence of those who make the accusation, is worse than a Russian procedure. There is no delusion about the fact that these people are in goal without trial, and I deny that anybody is a criminal until he has been found guilty in an open Court. If a man is simply arrested on



## INDIA OFFICE ESTIMATES

[H. OF COMS.]

word of a police officer or an agent-provocateur I deny that he is a criminal. I have tried to see both sides of this question. I have made inquiries among officials and English representatives in Calcutta and elsewhere. I have taken the trouble to read up the proceedings in the Legislative Assembly. I have read the speech made by Mr. Donovan, which was a very able speech and I find that no attempt has been made to justify under the British flag imprisonment without trial and my firm conviction is that there is no justification for these arrests. This kind of thing is simply poisoning the whole of our administration in India and is preventing proper harmonious relations between the races and the classes. This House ought to ring with indignation against any Government which permits the putting of men into prison without a charge and without trial."

Col. WEDGWOOD declared that Lord Irwin was perhaps the ideal Viceroy India could have during her present troubles,—not merely democratic, but his religious sincerity enabled him to make a profound appeal to India with its religious dissensions. It seemed to him that Lord Irwin was a man to whom religion came only second to pride in Britain's traditions and that was exactly a sort of control and guidance India needed at present. He hoped a Royal Commission would be established this or next year so that it could be ready in 1929. He believed the Labour Party was being developed in India which would do most to break down the absurd superstition of walking out of the Assembly. He suggested the revival of the title of honourable for all the members of the Legislative Assembly so as to exalt the position of the Indian members of the Parliament.

Mr. Shapurji SAKLATVALA who was given a fairly early chance in the debate, delivered one of those logically-cut speeches for which he had earned the distinction in a section of the English press as possessing a 'logic mad' eastern mind. He began by confessing his great partiality for the Swaraj Party—the differences in which was so happily commented upon by the Under-Secretary of State. Mr. Saklatvala's comment on the Governmental position with regard to the communal riots was very enlightening. In the course of his speech he said :—

"A morning paper with a notorious title had an editorial article which I passed on to the late Minister of Health at the Conference. It deliberately takes credit for the cleverness with which British officials have separated the solidarity of the Hindus and Mahomedans in India. It claims full credit for undoing within a very short period, the work that was done by Gandhi and Das on sentimental grounds. . .)" The greatest dialectical success which Mr. Saklatvala scored in the debate was in his ready retort to Earl Winterton's interruption : "If the British people, employers and employed, would pay more for the wheat, the cotton and other goods produced in India, India would be able to buy more British goods." Mr. Saklatvala : "It will not go to the cultivator. It will go to the broker, the money-lender and the exploiter. The Peninsular and Oriental Steamship Company will put up their freight as soon as they realise that raw materials in India are producing a good price." On Winterton's dissenting, Mr. Saklatvala came down with an illustration as to how the freight of Manganese was raised from 12 to 52 a ton during the Russo-Japanese war when owing to the scarcity of Russian manganese, the Indian manganese appreciated in price from 40 a ton to 120 a ton. His success over the chairman who enquired whether the mines were not included in the transferred subjects, thereby suggesting that they should not be discussed, was also signal. Mr. Saklatvala replied : "There are four mining areas in Central India which are directly under Government control, associated with the Government railways for the provision of coal."

Earl WINTERTON, replying to the debate, remarked that the absence of a serious criticism was a tribute to the success of administration of the Government of India during the past year. He expressed gratitude at the Oppositions' non-party attitude in respect of the Indian affairs. He emphasised that the Labour Government had accepted the policy of the Bengal Ordinance. Evidence has convinced him that all persons dealt with under the Ordinance were guilty of terrorist conspiracy or that they were privy to it. He concluded by urging the Indians to co-operate fully in the task of making the present stage of the Reforms useful and beneficial, for thus alone would the next stage towards the fulfilment of their aspirations be achieved.

The estimates were then agreed to without division.

# The Lord's Debate on India

HOUSE OF LORDS—THE 28TH JULY 1926.

The three speeches on India in the House of Lords on the 28th July 1926 were a sort of adjunct to the debate in the Commons as given in the preceding pages. The discussion in the Lords was the more interesting of the two because there we had the present and the late Secretaries of State facing each other and following them a rather striking speech from the Ex-Viceroy, Lord Reading. The following is the full text of the speeches delivered on the occasion and is reproduced from Hansard :—

" Lord OLIVIER had given Notice to ask the Secretary of State for India to give this House information on such aspects of Indian affairs as he may consider to be of general and immediate public interest, and in particular with regard to the apparent diminution in some quarters and recent exacerbation in others of turbulent or unconstitutional manifestations of popular feeling".

The noble Lord said : My Lords, I placed this Notice upon the Paper some months ago for the simple purpose of enabling your Lordships to receive, as you are always anxious to receive, from the Secretary of State his account of the fortunes of that Dependency during the last twelve months, and I included in my Question some of the subjects in which I thought that your Lordships would be interested. In addition to those subjects I have privately given notice to the noble Earl of one or two other points upon which I shall be very glad if he will give us some information. I read the statement that was made in another place by the Under-Secretary of State for India and I did not see in that statement any reference to our relations with the Kingdom of Afghanistan or to the difficulties which are continually confronting us with regard to the frontier tribes between India and that country.

I shall be very glad if the noble Earl can tell us how our relations with the Emir are proceeding with regard to those difficult questions of the allegiance and employment of the frontier tribes about which we have had constant correspondence with him, desiring, as we do, to retain their loyalty to us whilst not interfering with their occasional employment in Afghanistan. The position of these tribes is well known to your Lordships. There is continual unrest among them and a continual disposition to seek employment and a means of livelihood outside their own country and, owing to that economic fact, difficulties arise both on our side and on the side of Afghanistan. In that connection, I notice that this point is referred to in a Notice that has been given by the noble Earl, Lord Mayo, with regard to the establishment of our hold upon that part of the country by the building of roads. This is a point to which the noble Earl in another place did not refer, and upon which I think that your Lordships would be interested to have some information.

## Administration of Indian Jails.

Another point which I gave the noble Earl private notice of my intention to raise concerns the administration of Indian gaols. In August last I called his attention to that subject in connection with a case that had arisen in which a charge was made against the administration of Indian gaols and which became the subject of a judicial decision. The noble Earl, in replying to me upon that subject, said that the Government of the Punjab, on the publication of the article containing charges against the administration of Indian gaols, ordered an investigation by the Inspector-General of Prisons, and that inquiry reported that the allegations were without foundation and were false. The Government thereupon were advised that a suit should be brought, and the gaoler in the case brought a suit which was filed in the Court of the Sub-Judge claiming damages, and the Local Government bore the cost of the suit. On the whole, the judgment was in favour of the defendant, and an appeal was entered, again at the cost of the Government, and the noble Earl could not give us further information as to the costs of the case at that time.

I urged that some general inquiry should be made by the Government of India into the administration of gaols and I have learned that since that time a much more searching inquiry has been made by a Commission appointed for the purpose. The Report has been published and I have seen a copy of it. No doubt the Secretary of State for India has also seen it, and I think he will agree with me that the facts with regard to the administration of gaols revealed in that Report, contrary to the impression conveyed by the Report of the Inspector-General, is exceedingly scandalous. I have no doubt it will receive the attention of the Government of India as well as of the Government of the Punjab. What I wish to know is whether that Report has been brought to the attention of the noble Earl, and if he can assure your Lordships that careful attention will be drawn, not only in the Punjab but in the rest of India, to the fact that scandals are proved to be prevailing in the Punjab precisely of the kind alleged in the Report—an organised system of corruption of the lower ranks of the prison administration whereby practically any prisoner whose relations would pay for him would get anything he desired except possibly female society, while those persons who did not submit to blackmail were subjected to punishments. I have no doubt whatever that those matters will receive most careful attention, but I trust we shall have a further assurance that there will be a further general inquiry into the rest of the administration of the gaols.

#### Akali Disturbances.

I have read a statement made by the noble Lord in another place with regard to the Akali disturbances. Two or three years ago the condition of things in the Punjab with regard to the Akali disturbances was most unsatisfactory, and as the late Leader of the House, Lord Curzon, observed when I brought matters to his notice in this House:—“.....and it is evident there must have been regrettable mismanagement somewhere to have brought about a state of affairs in which you have bodies of Sikh fanatics marching about the country and having to be shot down because they are resisting the legitimate decrees of Government.” All of us who have taken an interest in Indian affairs note with great satisfaction that recently there appear to have been none of these unfortunate conflicts between the Akali Sikhs and the Government which we were accustomed to hear of nearly every month two or three years ago. Seeing that the previous state of affairs was credited to mismanagement, we ought to be satisfied that affairs in the Punjab are now being administered in an efficient manner, and we ought to be glad of that fact. The noble Earl said that the final condition of affairs was at present satisfactory but that the Sikhs were disputing among themselves with a certain amount of liveliness as to how their differences were to be settled. I hope he will be able to tell us that the liveliness is not at all likely to break out again in practical action, such as occurred in the Punjab previously, and has occurred in other parts of India, arising out of religious differences.

#### The Bengal Ordinance.

In connection with matters which have interested your Lordships in former debates I shall be glad if he can give us information with regard to the upshot of the operation of what is known as the Bengal Ordinance, where special powers are given to the Government to deal with the organisation of anarchic crime. We have not heard lately of any recrudescence of that crime, and I shall be glad if he will give us a statement as to how that Ordinance has worked—whether there has been recently any necessity to take further action under it, and whether, among those persons who were interned or imprisoned under it, it has been found possible to release any number on giving satisfactory assurances.

#### Hindu-Muslim Disturbances.

Then I come to the question of the disturbances about which we have heard a good deal lately in the Press—disturbances arising largely out of antagonism between the Muslim and Hindu communities. Those reports come to us in the Press in a manner which does not convey very much real information as to their significance and origin. We are told that there was an organised band which attacked a Hindu procession, or that the Hindus organised a disturbance in front of a mosque. I wish the noble Earl would give us, if he is able to do so, some deeper diagnosis of what is really the origin of these disturbances. We had in this House yesterday an interesting little commentary on the question of riots in connection with the Criminal Justice (Increase of Penalties) Bill, and it was pointed out that a riot in English law is really analysable into three processes—unlawful assembly, then rout, and then riot. I want to go back to the origin and cause of the riot. Where is the unlawful assembly? Where are these things concerted, and

by what instigation? There is some kind of understanding that a disturbance shall take place which results in a body of persons with long staves appearing in the streets, prepared to beat any one belonging to an opposing faction. I wish to know if the noble Earl has any information as to the sources of the disturbances.

Are they religious, or are they political, aimed at destroying members of the electorate of the opposition? Or are they of a wider character? That is to say, are they really disturbances got up for the purpose of criminal disorder, for the purpose of creating disorder in which there can be robbery or old grudges can be paid off—because I have seen some indications in the communications from India that the Government of India are taking the view that there is now in Calcutta a large body of rather turbulent disorderly and criminal people, who flock in from the country, prepared for any kind of disorder and disturbance. Therefore it seems possible that those are the three sources of the instigation of these riots and I shall be glad if the noble Earl has been able to discern and diagnose in what respect those various causes contribute. I will say no more upon the question of disturbances. I have indicated the points on which I shall be very glad if we can have information.

#### The Reforms Question.

Finally, the noble Earl will, I hope, be able to tell us something with regard to what I may call strictly the political situation. When the noble Earl last addressed your Lordships on the subject of India he made a very straightforward and in my opinion a very proper and liberal statement of his position with regard to the constitutional questions. I had urged that the Government should take into consideration at an early date, in view of the Report of the Muddiman Committee, the question whether the Constitution could not be made more workable, because it was obvious on the face of it that there were elements of that Constitution which really it was almost impossible to work for the purposes for which, and in the spirit in which, it was unquestionably designed. My colleagues in the late Government and myself, in all the public utterances and writings which we have given vent to on this subject, have invariably taken the view that although there might be unsatisfactory features in the Montagu-Chelmsford Constitution, the best policy for the Nationalist Party in India was to go in and make the best of them; that by doing so they would be able to use the existing Constitution for such purpose as it could be used for, and that bona fide co-operation in its working would be the best demonstration and the best test of those elements in which it was really defective and unworkable.

In response to that the noble Earl said that the question of the further consideration of this matter was entirely open, but that for his part he urged that there should be responsive co-operation and that the best service which Indian Nationalists could do to their country was to co-operate responsibly in working the present Constitution. That was a perfectly fair demand to make. I should be very glad if the noble Earl can tell us whether there has really been any material response to that and whether he sees in the present situation any signs of encouragement that the response will go on. That is the point upon which I should be glad if he can give us some information. I am not moving for Papers. I have raised this question simply for the purpose of eliciting information for your Lordships, and possibly others of your Lordships will contribute further inquiry upon subjects on which they desire information.

The Secretary of State for India (the Earl of BIRKENHEAD):—My Lords, the noble Lord, following his usual very courteous and I think very convenient practice, acquainted me with the particular question upon which he desired information. I am, therefore, as a preliminary to the few general observations that I shall find it proper to make, able to deal so far as I can with the interrogations which the Noble Lord has put to me. First in the order of his questions I will place that which he addressed to me with reference to the coercive action taken against the Bengali terrorists. I have never concealed my view that the whole country, and indeed the Empire, owes a considerable debt to the Labour Government at the moment when the noble Lord discharged the responsibility which I undertake to-day for the courageous action which, acting in concert with the late Viceroy, Lord Reading, they undertook. I inherited that policy from the noble Lord as *hereditas perhaps damnosa*, but certainly necessary, and I have attempted in this particular matter to carry on the policy which the noble Lord bequeathed to me and in the wisdom of which I was, and am, entirely acquiescent.

#### Bengal Arrests.

I will now give the noble Lord the information on that point for which he asks. At the end of 1924, there had been made 46 arrests under the Regulation of 1818 and 65

under the Ordinance of 1924. From that date up to June 30, 1926 there have been 42 further arrests, of which one was under the Regulation and the rest were under the Ordinance or the Act which continued the Ordinance. Nineteen of these were made after October 1 last year. The noble Lord is naturally anxious to know how these 153 captives have been treated, and I will give that information. Of the 47 State prisoners under the Regulation, 31 have been transferred to detention under the Ordinance—a step which I know meets with the approval of the noble Lord, and which was taken so that they might be domiciled in villages instead of being confined in gaols. The remaining 16 are still in prison. I have, therefore, to account for 137 prisoners under the Ordinance and the Act of 1925, that is to say, 65 arrested in 1924, 41 arrested later, and 31 transferred from being State prisoners. Of these, only 59 are now in gaol; 54 are required to live in specified villages other than their own homes; 12 are obliged to live in their own homes; 9 have been released; one killed himself; and two have been convicted of ordinary offences under the law and are undergoing normal sentences. There were thus on June 30 of this year 125 persons remaining under control under the Act of 1925.

I may be told—though I doubt whether I shall be told from any responsible source—that nine releases are very few. But I have to remind the House that within the period covered by the brief survey I have attempted there have been many incidents which must make any Government cautious in its decisions. Some members of the conspiracy have been discovered in possession of a technically very complete apparatus for forging currency notes, others have been convicted of dealing in smuggled weapons with Chinamen—a purpose which seems remote from any legitimate aspirations; nine of them were convicted of conspiracy and the possession, for purposes of that conspiracy in or near Calcutta, of revolvers, cartridges, bombs, and chemicals; and a tenth, an associate of the nine, of being concerned in importing arms from overseas. These ten men after conviction, in the Alipore Gaol, murdered the police officer who had done special service in fighting this terror. As long as I discharge these responsibilities I am not, in the face of these facts, much moved by criticisms of my conduct in hesitating to release or advise the release of men belonging to such associations.

But the Government of India has throughout, in my judgment, exhibited in this matter every quality of reasonableness. It has shown itself ready to use clemency where clemency is safe. It has, for instance, lately remitted the remainder of the sentence on five men convicted in the years 1913 and 1916 of offences committed under the direction of these same organisations, and the only condition attached to the remission was that the convicts should keep clear of the terrorist movement and report immediately to the authority any attempt made to draw them into it. Moreover, I think I ought to add that seven of the nine releases have been made in the three months from February to April of this year and the process of transfer from gaols to villages is always in progress. It is therefore, I think quite clear, and will be so to the noble Lord, that each case is under constant examination and that detention is not extended beyond the time and degree required. I have only to add upon this particular matter that the present Viceroy is fully acquainted with my views in this matter and will, I am sure, take such action or make such inquiries or proposals as may seem to his Government to be desirable and not to be dangerous to the public.

#### The Sikh Trouble.

I will deal next with the question which the noble Lord put to me with reference to the Sikh disturbances. The prolonged struggle over the management of Sikh Gurdwaras, which had at one time the unfortunate effect of putting a large body in that community in open strife with the Government, has at last been terminated, we may hope, by the enactment of a law passed without any opposition, for controlling Sikh endowments and religious property in the Punjab. So far as I can judge at this distance from the scene, only a few irreconcilables are still fighting against the will of their leaders, being bent on keeping the grievance open and preventing the peace which might be expected to follow the settlement and release, upon promise of co-operation, of almost all the men who were under trial for their acts of lawlessness during the agitation. We may, therefore, I feel sure, safely congratulate the Governor of the Province on the success with which he and his officers have contributed to this happy ending, if I am not too sanguine in seeing the restoration of order, an end of the crisis which has occasioned great anxiety not only to the Government of India but to the Government of this country.

#### Communal Troubles.

Now I approach a graver topic to which the noble Lord has specifically requested my attention. It is that of the outbreak of renewed communal disturbances in an embil-

tered and violent form in so many different parts of India. It would indeed be true to say that this recrudescence has been the most marked circumstance to which I ought to draw attention now, twelve months almost to a week since I last addressed your Lordships upon the general topic of Indian affairs. When I made my first speech as Secretary of State, there was no alarming situation so far as the bitterness of communal disturbance was concerned, and quite other topics engaged almost the whole of the speech to which I found it necessary to ask the attention of your Lordships. In the last twelve months undoubtedly there has been a renewal in the bitterest form of disturbances, violence and bloodshed which must always occasion the deepest anxiety to those who are charged with the responsibility for order and good government in India.

The Noble Lord invited me to a somewhat profound and difficult analysis of this topic. I will certainly not refuse as far as I can, though fully conscious of its difficulties, to afford to the Noble Lord any assistance which it is in my power to give in the researches which he has recently made upon this subject. But, if I sought for hours by every ingenuity of speech of which I could make myself the master to explain what is fundamental in British policy upon this matter, I could not equal or in any way attempt to discharge my task so completely as by citing the famous passage from Queen Victoria's Proclamation on the assumption, in 1858, of the Government of India by the Crown—a great and memorable moment. If your Lordships will be so patient, the passage is not long and I will read it, because it is expressive of the spirit and the only spirit in which the Government of India, in so far as its duties are undertaken in this country, is approached:—

“Firmly relying Ourselves on the truth of Christianity, and acknowledging with gratitude the solace of Religion, We disclaim alike the Right and the Desire to impose Our Convictions on any of Our Subjects. We declare it to be Our Royal Will and Pleasure that none be in any wise favoured, none molested or disquieted by Reason of their Religious Faith or Observances, but that all shall alike enjoy the equal and impartial protection of the Law; and We do strictly charge and enjoin all those who may be in authority under Us that they abstain from all interference with the Religious Belief or Worship of any of Our Subjects on pain of Our highest Displeasure.”

That alone was, and is, the high purpose with which those who have responsibility in the Government of India and those who have responsibility in this country approached what surely has from time to time proved one of the most difficult problems which in the East have ever baffled and perplexed Western civilisation.

An observation falls to be made upon the circumstance that it should have been found necessary to make these matters so plain 70 years ago. Its inclusion in the Proclamation reminds us that 70 years ago, no less than to-day, the possibility of antagonism based upon differences of religious view was one of the live and formidable issues which the Administration of that date had to face, for the disclaimer in the first sentence of the passage which I have read (though no doubt fears had been expressed of an official proselytising Christianity and, indeed, were in part the cause of the Mutiny) was not the main, and certainly not the most important, purpose of the announcement; but it was nevertheless thought prudent to explain what was the view taken by the British Government of that day on these matters.

Having regard to the fact that on the Continent of Europe even toleration is a plant of comparatively recent, and not even yet of too robust a growth, it would be astonishing if it were a well-established rule of life in India, where, moreover, it must constantly be remembered, the conflict lies, not as it has lain in Europe through the centuries between doctrinally separated sects of the followers of Christ, but between the adherents of two fundamentally different and in many respects opposite systems of religion, whose religious differences practically—and this is the gravity of the point—are continuous with racial differences. The superficial grounds for friction between the Hindu and the Muslim in the practice of their respective rites are obvious and well known.

#### Pre-war History of Disturbances.

It is sufficient for us only to mention the duty enjoined at certain festivals to engage in animal sacrifices, with a particular preference for the sacrifice of oxen, and to contrast this with the Hindu's passionate conviction of the sanctity of that animal and the unutterable sacrilege involved in causing its violent death. Or, you may take the Hindu's duty to worship idols and contrast it with the Moslem abhorrence of any action or practice savouring of idolatry. Or again, you may examine the boisterous rites which form so conspicuous an element in much of the Hindu worship with the solemnity of Moslem prayer. Nor, indeed, can the Moslem be expected to forget that the Raj—which the British Raj displaced not so very long ago in the immemorial memories of the East—was

a Moslem Raj, and that with the collapse of the Mogul Empire the followers of his creed in India have fallen, for reason it would take me too long to analyse here. They have fallen from a condition of political domination to that of a minority which is at a clear disadvantage in the competitive struggle for existence under modern conditions not merely in the matter of numbers, but also, and more markedly, of efficiency in the political field.

In the old days of paternal administration, when the British Government was in fact as in name the father and the mother of its Indian subjects, that status of the backward child caused the Moslem no great concern. He was content to trust no parental impartiality to see that he received reasonable treatment, and the question of what would happen to him when, if ever, the state of pupilage came to an end had not emerged in his mind into the field of practical politics. In these conditions religious or communal antagonisms have always been one of the causes which have tended to lead to riots or to mob violence in India and, naturally, the tendency has been greatest on those occasions when the revolutions of the Moslem calendar have brought together into one season the chief feast and fast of the two creeds—a condition which happily only recurs at intervals of about 30 years—or, again, when Hindu marriage processions, with their attendant music, happen to collide with Moslem mourning processions or even disturb Moslem worshippers in their mosques; or, again, when the Hindus of a village have combined to endeavour to prevent the cow sacrifices of the Bakr-Id.

Although during the last 40 years there have been several occasions on which Hindu-Moslem conflicts have been on a serious scale leading to a considerably loss of life, it is on the whole true to say that until the last five years their occurrence has been sporadic and, with one exception, probably fortuitous. And when I say fortuitous in this connection, I mean not the result of organisation. The exception which I have in my mind was the serious cow-killing riots of 1893 in the eastern districts of the United Provinces and in Bihar, which seem to have been due, if you examine their intensity and scope, to propaganda of the curious native-Indian kind which has sometimes, though rarely, proved to be recurrent in Indian history. If I may make my summary of this period complete, I would say that the Pax Britannica and the watchful care of the police and magistracy were in co-operation, adequate to keep in check the mob violence which proceeded from this particular cause no less than that which proceeded from the other chief cause for organised violence in India—disputes about the ownership of land.

#### The Lucknow Pact.

Such was the condition of affairs in this matter, as I read the history of the period, until the War; though even before the War signs had not been wanting that the Mahomedan had begun to realise, some years before 1914, that the political future of India was not static and that he could no longer afford to leave the political future of his own community to the care of chance and of a benevolent and unprejudiced Government. Hitherto he had associated with the Congress, and indeed had held rather conspicuously aloof from political agitation of all kinds. But in 1906, with the Morley-Minto reforms looming into sight, he took the first steps towards forming his own Congress—the All-India Moslem League—and in October, 1906, a deputation of the principal men of the community, headed by the Aga Khan, obtained from Lord Minto an assurance that the Moslem community was entitled to separate representation on the Council and, by reason of its political importance, to representation greater than mere numerical proportions could justify—a promise or admission, not to be disputed because it is indisputable, to which the community has grappled itself as to a sheet anchor ever since.

Two years of the War and of the Indian sacrifice of life and treasure involved were sufficient to produce in India, as they produced elsewhere, much ferment of ideas in men's minds, and when it was known that changes must be looked for in the system of government the Hindu quickly realised that an essential condition of successful political activity in this direction was that he should carry the Moslem with him in his demands. He realised, too, that this condition could not be secured unless the two communities could come to terms as to their respective claims to representation. Hence, the much advertised "Lucknow Pact" of Christmas, 1916, which was an agreement between the All-India Congress Committee and the Committee of the All-India Moslem League to give Mahomedan minorities in certain Provinces enhanced representation in Legislatures and other elected bodies at the expense of the Mahomedan majorities in Bengal and the Punjab. Hence also the apparent agreement of advanced Hindu and Mahomedan opinion upon the Congress-League scheme of reforms which was formulated as the demands of United India for political advance in almost the same month of the same year.

But the Lucknow Pact of 1916, like Mr. C. R. Das's more recent Bengal Pact, brought with it not peace but a sword. A few months sufficed to show that the Moslem League was not unanimous as to the soundness of the policy of furthering the agitation for Swaraj, and that the advanced section was far from representing general opinion in the League and still less general Moslem opinion outside it. The Pact was attacked from both sides—by Hindus as an unjustified surrender to Moslem obstinacy and by Moslems as a wholly inadequate recognition of their claims—while the attempts which the more advanced Moslem leaders had made to persuade their followers to abandon the sacrifice of cattle (surely, I should have thought, a hopeless crusade) produced no response. Meanwhile the fall of Baghdad in March, 1917, and other events in the War were providing material which the more extreme leaders were able subsequently to organise into what became known as the Caliphate movement.

#### The War-Time Outbreaks.

In this tense state of opinion serious Hindu-Moslem riots occurred in September, 1917, in Bihar and the United Provinces, and again in March, 1918 when the outbreaks, within your Lordships' recollection, at Kartarpur and Shahabad were exceptionally violent. In September, 1918, again there were serious Hindu-Moslem disturbances in Calcutta, where fire-arms proved to be necessary in the hands of the police to restore order. With the termination of the War the Moslems found renewed cause of anxiety in the Peace terms for which at that period the Turkish nation was agitating, while the future of the Moslem Holy Places and the Caliphate continued equally to be agitated. Within six months from the date of the Armistice the feelings of both communities were lacerated by the measures taken to suppress the Punjab disturbances of April, 1919.

This was the situation—and I thought it worth while some what laboriously to read this to you—which gave Gandhi and the Ali brothers their opportunity. For the next three and a half years the non-co-operation campaign, though it was accompanied by widespread disorder and considerable bloodshed, united the two communities against the Government and diverted them from attacks upon each other, though even during this period there were communal disturbances at Agra and Philibit and in Rangoon in the year 1920. Early in 1922 Gandhi, whose influence, as I read the history of those days, had been on the wane for some months, was incarcerated, and in September of that year the Mahomedans made violent assaults upon the Hindus in Multan. Since then hardly a month has passed without the occurrence somewhere—and quite often at several places simultaneously—of serious trouble, each outbreak of which, not excluding, of course, the appalling Moplah rebellion, has left an increasing legacy of bitterness and, among the less responsible elements, a determination for reprisal.

#### Leaders and Revivalism.

It would be tedious, even if it were possible within any margin of time open to me, to enumerate the various platforms upon which during the last three years the leaders of both communities have expressed their abhorrence of these occurrences, and their recognition of what is, after all, a plain truism, that their occurrence is an insuperable bar to future political progress; yet, at the same time that these demands have been made, responsible persons in both communities have been either fostering, or at all events not discouraging, a kind of militant revivalism on the part of their co-religionists, the first result of which is effectively to prevent any return to tolerance and harmony and which inevitably means reaction in the outlook of both communities. It is, in consequence, impossible to deny that the present state of communal relations is—to some extent which I cannot precisely define, but I make the affirmation quite plainly—connived in by the leaders of the two communities, and this circumstance involves a distinction as novel as it is sinister between the outbreaks of to-day and the outbreaks of the early period.

#### Reforms and Communalism.

It would, therefore, in my judgment, be untrue, for the reasons that I have given, to deny all connection between the reforms and the present state of tension between Hindu and Moslem. But at the same time it is a grossly inadequate explanation to attribute it either to the existence of the reforms or to their nature. The historical sketch that I have hurriedly attempted should be sufficient to dispose of that conception. So far as a tangible cause can be assigned—attempting the analysis to which the noble Lord invited me—it is to be found in the general unsettlement of ideas and of material conditions which followed in the wake of the War and which gave—for good or for ill, who knows?—its final quietus to the system of paternal Government which the British Government had carried to high perfection during the preceding half



century, and which thereby led the component elements of the Indian population, Hindu and Moslem, Brahmin and non-Brahmin, landlord and tenant, outcast and casteman, to take stock of their new position in relation to their neighbours, and to insist with growing and particular vehemence on their own rights and claims.

It is, no doubt, true that the system of communal representation upon which the present—as was the last—Indian electoral system is based tends to stereotype this particular line of cleavage, but there is not the slightest ground for the assertion that, had Parliament insisted, in the teeth of opposition which would have been pursued, in framing the reforms of 1919 without that feature, the relations between Hindu and Moslem would have become more amicable than of late they have been. The strong probability, almost the certainty, is that they would have become much more violently embittered. One result of the democratic ideals disseminated in India as elsewhere as the outcome of the War—that vague and devastating post-War sentiment to which we owe so much disaster—was the realisation that the principle of majority rule has now to be reckoned with, and that in politics, as in warfare, victory tends to lie with the big battalions. To this, I am sure, is due the proselytising tendencies which both communities have so markedly shown during the past three years.

I regretted a little that the noble Lord—whose language has been so moderate in the years in which I have held this trust and whose attitude in this House and elsewhere has invariably been so helpful—should have used an expression which, unless I misunderstood him, indicate the view that there had been in the past years some partiality or predilection, on behalf either of the Government of India or the Government here—

Lord Olivier: May I interrupt? Is the noble Earl referring to anything that I said in my speech?

The Earl of Birkenhead: No, I was referring to a letter that the noble Lord wrote, and if the noble Lord tells me that the construction that I place upon it is wrong, I will not add another word on the topic, because I do not desire—why should I?—to pursue it. I will tell the noble Lord quite plainly what I have in my mind. I read an interesting letter which the noble Lord contributed to "The Times," and I certainly placed upon it this construction—and he will tell me whether I was right or wrong—that the Government of India or the Government here had in the past few years shown some partiality to the Moslem in this long rivalry which I have attempted historically to reconstruct to-day. I do not often make mistakes on such points, and I should be surprised if the noble Lord disputed the estimate that I have formed of the impression which he desired to give. I would assure your Lordships and the noble Lord that it really is not true. The noble Lord would certainly not advance the claim that, while he was Secretary of State for India, he showed any preference for the Moslems as against the Hindus. The noble Lord, so far as my information extends—and I have access to many documents—was scrupulously impartial between both communities, as was his duty. Nor, indeed, do I think that the noble Lord will charge against me, in anything that I have said or anything that I have done, any deviation from the same exact standard of impartiality.

Of this I am certain, that the noble Lord would be the last man in the world to say this of those who have been the Viceroy through that time, of Lord Reading, whom we welcome here to-day in this house, and who discharged so many important duties and confronted so many great anxieties during his Viceroyalty. No one, I am sure—certainly not the noble Lord—would say of him that any such partiality was ever exhibited. As for the present Viceroy, whose elevated speech on these topics, couched in high and noble language, has made, I believe, a profound impression in India and breathed in every sentence the highest conceptions of idealism, which have run like a golden thread through the whole of our historic associations with this peninsula—certainly the noble Lord will not accuse him of that partiality.

I affirm plainly two things. In the first place, there never has been a moment when the Government of India has addressed itself to these difficult questions in any spirit except that of holding the scales equally, justly and impartially between the disputants. And I affirm in the second place—and this is not less important—that Moslems and Hindus alike realise this truth, and it may interest your Lordships to know—I give you no precise figures, though I could do so if time served—that over and over again, when there has been the gravest alarm because of the recrudescence of these outbreaks, both parties have approached the British authorities and asked that they should send representatives to deal with the disturbances that have arisen. I could afford your Lordships many striking illustrations, some of them couched in very dramatic language, of this circumstance.

No, my Lords, there has been in our part no partiality. There will be no partiality, nor do I think it even worth while to make more than a passing observation upon an even baser charge which has been made. It is the charge that the Government of India, or we in this country, do not contemplate with disfavour the accession to our anxieties which these disturbances produce. Indeed, the expression has been quoted, as if it were part of our policy, *Divide et Impera*. Little have they studied the history of our association with India if they think that it was in that spirit that we have discharged the responsibilities into which we almost accidentally drifted. Little indeed upon a wider stage, have they appreciated the political genius of this nation, which has created and maintained that loose and amazing structure, the British Empire, if they think it was by petty and squalid maxims of this kind, by low and cunning tricks, that our forefathers established, and those who came after maintained and we still discharge our inherited duties.

Does any sensible or experienced person believe that we who are trustees of order in that sub-continent—does any one believe that it can reflect anything but discredit upon our fiduciary duties if we cannot even induce those who live with us there to maintain order and avoid bloodshed? The power which is responsible in India has nothing but discredit to reap from the spread of these disorders, and if I have ever thought it necessary to say a word upon this topic it is because it has been these defamatory charges still continue to be made by those who ought to know, and in my suspicion do know better.

Lord Olivier: If the noble Earl has finished with that passage, I shall have to ask him at the conclusion of the debate to allow me to say a word in reply.

The Earl of Birkenhead: I should gladly have given way if the noble Lord had told me that I had misconceived the object of his observations, and I should not have pursued the topic.

Lord Olivier: To interrupt the noble Earl while he was in full career would have been a little difficult.

#### The Panjab Jail Committee's Report.

The Earl of Birkenhead: I shall be glad to listen, as I am sure your Lordships will, to any observations which the noble Lord wishes to make on the subject. He asked me to deal with another specific subject and that was the Punjab Commission's Report on the goals. He is correct in saying that on an earlier discussion I had not full information, and I do not think the noble Lord himself had. I ought, I think, frankly to deal with the matter. Attention was publicly drawn to the treatment of prisoners in the Punjab goals by some allegations made in the newspaper "*Bandemataram*" in October, 1923, that prisoners in the Multan goal were subjected to indignities and cruelties, notably those of "*Gidar Kutt*." It was alleged that there was indiscriminate beating by convict warders. A suit for defamation was brought against the newspaper by the gaoler, and the Court of the Sub-Judge awarded him nominal damages, but held the greater part of the libel to be true.

The case formed the subject of the motion which the noble Lord made in the month of August, 1925. Thereafter, with my concurrence a Committee was appointed by the Punjab Government in November last to inquire into the allegations of the practice of unauthorised punishments and indulgences in the Punjab goals and generally into the state of discipline among the staff and inmates and the adequacy and effectiveness of the supervision over both and proposed remedies for defects and the means of stopping the mal-practices. The Committee consisted of a member of the Indian Civil Service, Mr. Lumden, an Indian Judge of the Lahore Court, and an Indian barrister. The Committee reported in the early spring of this year, and some of its findings were, I confess, of a very disquieting character. The most important of its general conclusions was that unauthorised punishments were frequently awarded and that there was ample evidence of the existence of unauthorised indulgences. It stated that the discipline of the goals visited was merely superficial, and while various causes of this were set out, the root cause was held to be that a prisoner could, by mere payment of money, provide himself with all sorts of luxuries. It was also stated that over-crowding was prevalent and that various improvements of the staff were needed, while the classification of prisoners was found to be defective.

It was naturally agreed between myself and the Viceroy that this was a Report which ought to be published. It was so published on May 28, the resolution of the Punjab Government being published at the same time showing the action taken or contemplated upon the Report. While warning has been issued against unauthorised punishments and indulgences the Punjab Government recognises that radical measures for the improvement of the supervising and executive agencies in the goals are necessary. Imagine that the

noble Lord has read that Report. Unless he has any doubt as to the completeness and the drastic character of the recommendations made I do not think it necessary to pursue the topic in detail, but the Viceroy is in complete agreement with the Secretary of State that almost all those recommendations must be carried out, and I am sure that the noble Lord will realise that those who have been responsible have realised how grave was the state of affairs disclosed and that every conceivable step that can be taken to set that particular house in order will be taken.

#### India and Afghanistan.

Now I approach the last topic but one with which I must shortly deal. The noble Lord asked me whether I have any observations to make on the subject of our relations with Afghanistan and the Amir. For many generations this topic has been one of delicacy and of difficulty, and I must deal with it as so important a topic in our foreign affairs must be dealt with, by any Minister even though he be the Secretary of State for Foreign Affairs, and with an infinitely greater degree of caution when he who addresses Your Lordships has no such responsibility. In the first place, let me say that our relations with the Amir continue to be of the most friendly character and I take this opportunity of saying with as much formality as I can that the excellence of the relations which at the moment subsist between that Monarch and ourselves is in no small measure due to the tact and ability which have been shown by Sir Francis Humphreys, our representative in Afghanistan. He has indeed deserved well of this country. Many changes have taken place in Afghanistan and in the general character of the problems jointly founded upon Afghanistan which have from time to time engaged the attention of the British Governments. But this at least I may make plain. The concern of Great Britain and India in Afghanistan is not less than it was in 1885. It is not less than it was in 1907 when it brought us to an agreement with Russia, or in 1921, when we made a Treaty of good neighbourliness with Afghanistan. If such interests as we have in Afghanistan were ever seriously threatened we should not, I believe, find ourselves without the means of safeguarding them.

#### The Reforms Question.

Now I have only one subject upon which the noble Lord invited me to make some observations. He spoke in kindly terms of the observations I made a year ago upon the subject of the effect, as far as it was clearly discernible at that period, of the Montagu-Chelmsford reforms. The noble Lord did me no more than justice when he said it was my purpose in speaking a year ago to exercise, as far as any words of mine could do it, the spirit of distrust which had misguided and perverted so many intelligent men into an attempt to make the constitution absolutely unworkable. That was a strange mood for a nation to pass through. It could, indeed, be made the subject of debatable argument either that the constitutional reforms went too far or that the constitutional reforms did not go far enough; but it surely was a strange policy for those who held that the reforms had not gone far enough to render if they could, ridiculous and futile that which had been given in an experiment which was certainly one of the most novel and one of the boldest that any country, the centre of an Empire, had ever, in my reading of human history, attempted. But such was the strange fact to which we had to accommodate ourselves. There was no method of dealing with the difficulties which emerged except by reliance upon the precautionary measures which we had not omitted to introduce into the legislation which gave the constitution. And so the attempt to destroy and render ridiculous the constitution failed.

But when I spoke a year ago, I plainly indicated that, so far at least as I was concerned—and so far as I could read the minds of my colleagues, I believe it would have been true also of them—we were always open to conversion and to conviction if and when we saw among the men, able men, who take part in politics in India a genuine desire to make the best of the existing constitution. We did not indeed, ever desire, expect or invite that they should say it was the Constitution which satisfied them. We never asked them to deprive themselves of any one of the legitimate rights of an ordinary Parliamentary opposition, if they chose in bitter invective to disparage the adequacy of that which we had given them. After all, bitter invective has been used in many Western Parliaments without doing any one any particular harm. But it was, indeed, futile to expect that we should treat a general scheme of non-co-operation, which carried in its womb the clear determination to wreck the Constitution which, with painful construction, had been formed in this country—that we should treat it as a claim for making prematurely, according to the terms of that Constitution itself, changes and developments in it. Well, if anybody expected that of an English Government he had indeed given inattentive study to the history of the British people,

What I said a year ago I say again to-day, subject only to one observation which I will presently make. I do believe that I discern to-day a realisation in many quarters in India not lacking in influence that this policy was ill-conceived, that it was predestined to failure, that it is failing, if it has not already failed, and I think that I see, though neither confidently nor dogmatically do I proclaim it, the growth of a realisation that the only sensible and patriotic course to follow at the moment for a citizen of India who believes that there are potential qualities which will one day make the inhabitants of that country qualified to take in hand their own responsible destinies is one of sympathetic co-operation with those in this country who have asked for sympathetic co-operation and for nothing else.

#### Reforms and Communal Differences.

I said that the observations that I made upon this point must be read with a single caution. I have already spoken at considerable length upon the existence of communal disturbance in India. It is necessary to bring that topic into relation with the subject with which I am at this moment concerned. You cannot divorce one from the other. And, indeed, even those who are most enthusiastic in the belief that the date fixed in the constitutional instrument ought to be accelerated—they, I think, themselves cannot be blind to the relevance of that other topic to which I have adverted. It is plain that any impartial and competent tribunal that was set up in order to revise the Constitution, in order to advise Parliament as to whether the powers already conceded should be extended or not must be most vitally affected by the question: What at the present moment is the relationship between these two great dominant sects? Is it of such a kind as to suggest that at this moment it would be wise in their own interest and in relation to their own desires to accelerate the moment at which a decision fraught with consequences so grave and perhaps so durable should be taken?

Therefore, on all these grounds, I am brought back to the topic, which indeed has principally engaged me in the course of the observations for which I have asked your Lordship's indulgence. Not only for the credit of the Empire, but in the very interest which they most loudly profess, those who have an influence in both communities would be, indeed, well advised if they set their house in order by composing their bitter differences. If they enable those of us who would gladly restore better and kindlier feelings with all sections of Indian thought to put forward a case which would have some element of plausibility for that acceleration of the statutory date, they would do a great service to that cause in which they vehemently believe and they would at the same time render it easier for those of us who in this country and in India have responsibility to restore a kindlier and friendlier basis to our mutual relations.

The Marquess of READING: My Lords, I trust that it may not be thought inopportune that I should at the present moment, occupying as I do a position of greater freedom and less responsibility with regard to India, make some observations, although they will necessarily be brief especially after the speech of my noble friend the Secretary of State and the very exhaustive examination that he has made into the causes, in particular, of the Hindu-Muslim disturbances. I should have troubled you but for a moment or two had it not been that I was deeply concerned at noting that there was a disposition in a quarter from which I least expected it to attribute favouritism on the part of British officialism, as the phrase was.

Lord OLIVIER: My Lords, if the noble Marquess is going into that point I think, if your Lordships will allow me, I had better reply at once to the question raised by the noble Earl. I am in a position of some difficulty because the noble Earl referred to something which was written in "The Times" and I have not with me the extracts from "The Times" to which he referred. But the noble Earl stated, and I gather that the noble Marquess was also taking the same view, that I had imputed to the Government of India that it had exercised favouritism in its dealings as between Muslims and Hindus. I have made no such suggestion and I entirely disclaim any feeling or belief to that effect. I am perfectly confident that every official has set himself and every Government of India has deliberately and of set policy set itself to deal fairly as between those two communities. I make no such charge and it never entered my mind to make such a charge.

Having said that much, I am rather under the obligation of dealing, and I hope very slightly, with what I actually did say. May I say that I may perhaps have used words which, had I had an opportunity of revising the proof of my letter, I might have modified slightly. But what I did say—and it is based upon what I have heard from a great many Englishmen who have served in India and from a great many Indians who have a very good reputation in India—was that there is an official bias in favour of the

Mahomedan community. I did not in the slightest degree mean that there was a bias which was exhibited in the action of the Government of the country. What I meant—and this is more or less an impression which I have received, as I say, from what Englishmen have told me and what Indians have told me—was that the British official classes, both civil and military, in India have a higher appreciation of the virtues of the Mahomedan section of the population than they generally feel about the Hindus. I wrote a further letter to "The Times" in which I hope that I had made that clear. I think the grounds of sympathy are what I would call the martial and other virtues and many other grounds of sympathy. I do think it is a fair statement to make that predominantly Englishmen who serve in India have a higher appreciation of the Muslim community and think them more capable of dominion than they think the Hindus and especially the Bengalis are. That is what I meant by official bias.

There is another thing to which I wish to refer. The noble Lord referred to the suggestion—I do not know whether he imputed it to me—that the Government of India had followed out the policy of "Divide et Impera." I do not make that suggestion at all; but the feeling which I had encountered and which I had underlined in my mind in that letter was something of which I will give you an example. When the Hindu-Muslim pact was made it was a pact which strengthened the probability of an advance towards Swaraj policy in India. A very large number of persons, officials and others in India, regard the advance towards the self-governing Swaraj policy as a movement deleterious to British interests in India, and I say confidently that when the Hindu-Muslim pact broke up there was a considerable amount of satisfaction felt, and was expressed in what I may call the anti-Swaraj Press in India, that the pact had broken up. I do not think it went further than that. I will not now go into the question of these faction fights, but there was a distinct satisfaction on the part of those persons both in this country and in India who were opposed to the Nationalist movement that the pact had broken up and that there should be political dissensions among those affected. I will not carry it further than that.

The Marquess of READING: I am sure your Lordships will have heard with pleasure and with some satisfaction the disclaimer on the part of the noble Lord of imputing anything in the nature of favouritism or of official bias for the Mahomedan interest or element in India. For my part, as I am sure is the case with all your Lordships, whatever is said by the noble Lord as to his intention carries conviction beyond all question, and I do not pause for a moment to discuss what was in his mind inasmuch as he has told us and that disposes of the matter beyond all arguments. I am now only concerned with what the noble Lord said, not what he intended, and not for the purpose of striving to cast the faintest doubt upon the noble Lord's meaning as intended by him but in order that I may refute a statement in writing which appeared in a letter in "The Times" subscribed by one who had held the position of Secretary of State for India and whose words, therefore, carry great weight in India notwithstanding that he is not now in office.

#### British Official Bias.

If your Lordships will permit me, I will read his words in order that I may offer to your Lordships a few observations which I think it necessary to make and which, indeed, I hope may be transmitted to India in order that I might clear to India my own views. This is the noble Lord's statement:—

"But there are other causes of the increasing faction fighting. No one with any close acquaintance of Indian affairs will be prepared to deny that on the whole there is a predominant bias in British officialism in India in favour of the Moslem community, partly on the ground of closer sympathy, but more largely as a makeweight against Hindu nationalism."

Now I cannot but think that the words, as used, although not so intended, will be of assistance to those extremists in India who are desirous of instilling into the minds of both Hindus and Moslems that there is an undue bias in the mind of the British official and that, consequently, that quality of administration upon which in my opinion we rightly pride ourselves, and especially in relation to India—that is of justice and fairness to all irrespective of distinction either of creed or race—does not exist.

I do feel that it becomes necessary that I should tell your Lordships that this is a charge—not in these words, of course, not so moderately framed or so carefully qualified as the noble Lord's observation in the letter to "The Times"—which is constantly made against the Government of India; consequently, also, against the Government in this country. My noble friend in a few observations dealt with the charge—and as he rightly said, it merited but slight notice—which was that these communal disturbances were instigated

very often by British officials or for British interests. I do desire to say that throughout the whole period of the five years of my life in India I not only most carefully watched, but sought every opportunity of ascertaining whether there was the slightest foundation for this charge and I can tell your Lordships that I never had even the merest breath of evidence to support it. I desire to make that statement because, I confess, when I read those words my mind rebelled at the notion that any one occupying so important a position should have used language which, as I thought then, was intended to convey the notion of some bias.

I am not now, as I have already indicated, dealing with what the noble Lord intended to say. I pass that by, having finished with it. But I am dealing with the spirit that underlies it and with the sense in which it will be understood until this disclaimer of the noble Lord is read. I very much hope that it will be transmitted to India and read and understood by those who will not have lost time in taking advantage of an observation of this character.

Lord Olivier : I do not think there was anything in what I wrote which could have suggested—

Noble Lords : Order, order.

Lord Olivier : May I give an explanation? I do not think there was anything in what I wrote that could have suggested that I had the idea that any British official had ever instigated any riot.

The Marquess of Reading : If I may say so I did not mean to suggest that. I quite agree. I do not think the words convey that, but they go so near it when it is said that on the whole there is a predominant bias in British officialism in India in favour of the Moslem community and when, at the same time, it is known that there is an extremist section in India which is very adept at reading meanings into language which we in England did not intend to convey and which, from this very language, will go on to argue—I can almost see the articles penned upon it or hear the speeches which will be made in consequences of it—"this proves what we have said—namely, that there is an official bias." And, of course, it is not a very far step from that to instigating or at least conniving in some form or other at the Hindu-Moslem disturbances. Because of the life I have led for five years, and because of the knowledge I have that every word that is used by any one in authority in this country is liable sometimes to innocent misconception or misinterpretation—unfortunately also, sometimes, to deliberate misconception and misinterpretation—I have been anxious that we should have made quite plain in your Lordships' House what was intended by the noble Lord himself, and what he meant to convey by the language that he used.

I also desired, speaking as one who was the head of the Government of India during five years, to give my testimony in order that I might refute any such suggestion or insinuation from any quarter and to assert—as I do beyond all possibility of refutation and with every challenge that I will take any document and any evidence that may be brought to me upon this charge if it were still in my power to examine it—that I am quite confident there would be no truth in the statement. May I say—not in reference to the noble Lord, who has told us what he meant, but in reference to the charges or suggestions which are so rife in India—that I doubt very much whether you who are listening to this debate realise to the full how insidious these suggestions are. The mind of the Oriental is very subtle. He is not accustomed to put into plain, precise language exactly what he means and to mean nothing more. He is rather in the habit of finding meanings which may or may not have been intended, but which would baffle perhaps any one of us. Therefore I have thought that it was desirable to deal with a matter which affected British rule in India so seriously.

#### Communal Societies Which Promote Differences.

I do not for a moment intend to traverse over the same ground as my noble and learned friend, who has done it so exhaustively and so much better than we could do it. I am glad that I shall have the opportunity of studying it hereafter and understanding the causes of the present Hindu-Moslem disturbances. If I were to add anything, it would merely be to say, what perhaps is already implied in some part of his observation on the later period, that the growth of Hindu societies and Mahomedan societies has tended to promote these disturbances and to intensify them. As I speak I recall a passage which I read in some observations of my noble friend Lord Sinha, who speaks with special knowledge on this subject and who is himself inclined to attribute much of the present tension to the foundation on those societies. I will not go into detail with regard to them; it would take so long. Sufficient be it to say—and it is all I shall say on the subject—that there are leaders of political thought among Hindus who are leaders of the Hindu societies

and there are leaders of Mahomedan political thought who are leaders of the Mahomedan societies. The result is that you have societies formed with the avowed object of increasing the strength, influence and authority of a particular religion. The adherents of that religion become members of those societies for the very purpose, as I have said, of augmenting the power of their creed.

I do not wish to travel any further into this subject, save that I would ask if any one, not here but in India, still thinks that British officialism or officials are interested in fostering these Hindu-Muslim disturbances. I would like to ask, of what advantage it is to the British Government, or to the Government of India, or to the civil servant, or to the military officers who have perhaps to take part in these disturbances? I may deal with the civil servant in a word. His duty is to preserve peace. His objective is that he may have a clean sheet to hand to his Government. His main desire is to avoid trouble, and necessarily so. He is there for the purpose of preserving order and of doing all that he can for peaceful administration. So far as he is concerned, if there is any trouble it means not only grave responsibility for him if the conditions become serious, but it means endless agitation and excitement inasmuch as he may not be even quite sure that in the end he will emerge successfully from the difficulties—stupendous difficulties sometimes—that he has had to encounter.

Of the military officer I suppose there is no greater truth than to say that he detests having to intervene in civil disturbances. He does it because it is his duty. He is called upon to perform it, he takes his part and he strives to do it as well as he can. The one indisputable feature that I have found during my time in India was that the military officers exercised this very unpleasant duty when called upon with the greatest restraint, and only took steps by virtue of the position they occupied when it was apparent there was no other course open if peace was to be preserved or a disturbance was to be set at rest. The military officer has an additional anxiety about which I need not trouble to say much in debate before your Lordships, anxiety as to what is to happen if he has taken a step which might have involved loss of life. He has to trust, and rightly trust to the authorities at the head of the Government to see that when he does his duty he is also properly protected from all responsibility that may hereafter ensue.

I need not take up your Lordship's time with references to the position of the Government of India. I speak there with knowledge, inasmuch as I think I may say I was familiar with all that happened in the Government of India of any importance. I pass from the reference merely with the observation that never during the whole of the time that I was entrusted with the responsibilities of India have I seen a charge that was even worth examining in relation to officials of the Government of India or of the provinces, of having done anything which was unfair, or of having shown a bias either to the one creed or the other, or of having taken any step which could by the greatest stretch of imagination be described as conniving at or wilfully shutting their eyes to any disturbances which were about to be created. I hope your Lordships will forgive me for having taken up your time on this subject. It may be perhaps that I feel more strongly on it than you would understand for the reason that I know how serious is an insinuation or suggestion of this kind when it travels about amongst ignorant people in India in the villages, in the mofussil as it called and in various districts where there is need of spreading the light.

#### The Late Inspector Handyside.

I am not inclined to travel over the ground covered either by the speech of Lord Olivier or the speech of the Secretary of State, but I would like to make a few observations upon the general political situation. May I, before I do that, take the opportunity that presents itself to me of a reference to one of the most gallant men I have ever met in my life? Your Lordships are aware that unfortunately some months ago Inspector Handyside, of the North-West Frontier, lost his life in one of the many encounters that he had with tribal raiders. It was not more than a few days before I left India that I went to Peshawar and the North-West Frontier for a last visit. On that occasion I met Inspector Handyside. I must not detain you with a recital of his various exploits, but he was a most marvellous man whose courage, resourcefulness, magnanimity and highmindedness were loved and admired throughout the North-West Frontier and by the tribes against whom he had to act almost—I was going to say as much as by the tribes with whom he had to act.

I ventured to say to him, knowing his history, that it was time that he gave up going out himself. He was then at the head of the Frontier Constabulary. I suggested that he should content himself with giving directions, and that he should not run enough risks in his life. His answer was: "Well, I do not think I could ever refrain from going. If

the opportunity came." I regret to say it was not many days after that that he met his death in one of these raids. I was glad to read the observations made by the Under-Secretary of State in another place, and I could not resist the opportunity of paying my own testimony to one for whom I, in conjunction with all those who came in contact with him on the North-West Frontier of India, had such great admiration.

#### The General Situation.

On the general situation I desire to make but very few observations. I have been tinkering as I sat and listened to the speech of my noble friend that it is not uninteresting to consider how the experiment that was made—experiment as it was called—in Parliament in 1919, and which began to take effect in 1921 when the reforms were first inaugurated in the India, have stood the test of time. It is far too late, and I have already occupied too much time, to discuss this question at any length, but I desire to state to your Lordships that when I went to India to 1921, not, I confess, having made myself thoroughly acquainted with the details of the Government of India Act, 1919, before those duties devolved upon me, I was not too sure that this new system of Government would be capable of working. I was charged with the special mandate of setting it on its feet, of piloting it, so far as I could and helping it on its way. That was part of my instructions. I have been through many anxious times in connection with the reforms.

I have had at times to use the emergency powers which were vested in me by Parliament as Viceroy and Governor-General. I took the view then, from all that I had read and from all that I knew, that these were powers that were given, not for the purpose of being looked at, but in order that they might be used if the emergencies occurred; and, when the emergencies occurred, I felt bound, in certain cases only, to use them. There were conflicts between the Legislative Assembly and myself, by virtue of the position that I occupied, but really they were infrequent conflicts and I do not pause to discuss them any further. Apart from those conflicts the Legislative Assembly and the Central Legislature have done a considerable amount of very useful work. Looking back upon it and remembering, as I am sure many of your Lordships do, statements that have been made in the past by Secretaries of State of the different Parties who have addressed you upon affairs in India, there is every reason, so far as we can judge from the evidence at present before us and that collected during these five years, for satisfaction with the momentous step which was taken to initiate a new era of relations between the Government and India.

#### British desire for Indian Goodwill.

It is too early to say more, and all that I desire to impress upon your Lordships is that, speaking from my own point of view, as from the observation that I have been able to give and as the result of my own experience in India, I have returned to this country with a greater faith in the value of those reforms and their practicability than I had when I left this country for India. I have learnt to set greater value upon them, and let me add that, in the difficulties that they have had to encounter, the cause has largely been suspicion and distrust of the ultimate intentions of the British Government and of the Government of India. I believe that the time is now fast approaching, if it has not already been reached, when India will recognise that we do intend to carry out the promises made in that Bill in the spirit and in the letter, that they will be generously interpreted, as they were in their inception generously conceived, and that all that is asked in this country—and surely it is worth India's while to ponder it and give effect to it—is that there should be a response from India which will show that India has at last appreciated the value and the benefit of the reforms that were instituted under this Act and that it is for her to take the action and to manifest the spirit that are necessary to enable her to go further forward and realise in the future the ultimate aim that she has in store and that is promised her and to continue along the path that is mapped out. I believe—I may perhaps be speaking a little rashly, but I am prepared to take the risk—that in the end, if India will only devote herself to show her goodwill, she will attain the position that she desires, she will become a full partner in the British Empire, she will attain her responsible Government and she will be able to work with the British Government and, I trust, with all the British Empire for the happiness and contentment of her people.



# The Judicial Committee Bill

*HOUSE OF COMMONS—THE 1ST DECEMBER 1926.*

The following is an account of the Debate on the Second Reading of the Bill in the House of Commons on the 1st. December 1926. The debate in the Lords took place on the 8th June 1926 and is given in Vol. I. p. 115. In the Commons the Bill was however withdrawn, to be introduced again, there being no time for the Government to pilot it in the current session of the Parliament, in view of the controversial issues raised by the members of the Labour Party. It will be seen from the report of the debate as given below that the proposal was severely criticised on various grounds. The first ground of objection taken was that, while the Government had backed out of their promise to force mine-owners to pay a living wages to miners, they were now asking Parliament to pay £4,000 to two Judges, one half of it to come from India. The Labour members asked why the law of supply and demand, which was stated to govern the fixation of wages to workers, should not be applied to the Judges' salary when efficient lawyers could be had for an amount less than that mentioned in the Bill. The second point urged was that when the Imperial Conference had specifically stated that questions affecting judicial appeals should be determined only in accordance with the wishes of the Dominions, it was premature to discuss the present Bill, because in the first place, India might decide to revise the present procedure in regard to appeals and in the second place, the work of the Privy Council might be shortened if Canada or other Dominions should provide themselves with Courts of their own beyond which appeals would not be allowed. The Attorney-General, the Secretary of the Treasury and the Under-Secretary of State for India spoke in different voices and would not tell the House clearly whether pensions were intended to be given, what would be done in the eventuality of India refusing to contribute her portion and what necessity there was to pay £4,000 to Judges who, according to the Attorney-General, would accept £2,000 if the whole circumstances were explained to them.

## **The Debate.**

The Attorney-General (Sir Douglas HOGG): I beg to move, "That the Bill be now read a Second Time."

The purpose of this Bill is to provide for the appointment of two Judges with English experience to sit on the Judicial Committee of the Privy Council and to assist in the hearing of Indian appeals. As the House knows, the ultimate Court of Appeal for England, Scotland and Northern Ireland is the House of Lords, and for all the other parts of the Empire the Privy Council. In the Privy Council, the business has increased enormously during recent years. In the case of Indian appeals in particular, whereas, for the five years ending, I think in 1910, there were about 52 appeals from India, for the last five years, the number was 91, so that they have very nearly doubled. In addition to that, there has been a very great increase in the number of appeals coming from our various colonies and His Majesty's Dominions overseas. The result is that it is practically necessary now for the Privy Council to sit in two divisions, one of which is occupied with the hearing of Indian appeals and the other with the

hearing of appeals from other places within its jurisdiction. In order to cope with the work we have the Lord Chancellor and six Law Lords, and we have the assistance of ex-Lord Chancellors, although at the moment there is only one available, Lord Haldane. Lord Buckmaster is suffering, unfortunately, from serious illness. Lord Finlay is largely occupied in assisting the International Tribunal at The Hague, and Lord Haldane is left to do the work which is available for ex-Lord Chancellors. There are, in addition, in the Privy Council two other paid members, appointed under the Act of 1833. Retired Indian Judges are allowed to sit on the Privy Council at a salary which is really only travelling expenses, £400 a year. One of these two, Syed Ameer Ali, has sat for nearly 20 years and his health will not permit him as a rule to attend.

We have been volunteered assistance from retired Lord Justices and other persons who are qualified, such as Lord Parmoor, Lord Phillimore, Lord Warwick and Lord Darling, but even with that voluntary assistance, the House will see that, when we have to provide for five persons to be sitting in the House of Lords, five more in the first division of the Privy Council, and six to make up another Court which is habitually necessary now for Indian appeals, that it is not possible to find the necessary number in order that the Courts may be maintained. The House, I am sure, will agree that the Privy Council is a most valuable link of the Empire, and that while we have that Court it is of the first importance to this country, as well as to the Dominions, that the personnel of the Court should be such as to command the respect of all those whose appeals may come before it. That being the state of affairs, the Secretary of State for India and the Lord Chancellor, with the assistance of the late Viceroy, Lord Reading discussed last year what was to be done to provide fresh assistance for the hearing of Indian appeals, and the plan they agreed upon was that there should be two persons appointed to sit in the Privy Council with Indian judicial or legal experience, and that those persons should each receive a salary of £4,000 a year, provided as to one-half by the English Exchequer, and as to the other half by the Indian Exchequer. Unfortunately, the Indian Legislature did not accept the proposal, although we have information that leads us to hope that that decision is not a final one. Meanwhile the position is that those appeals have to be heard, the Court has to be manned, and the plan which has recommended itself to the Government is to go forward with the payment of the salary which the English Exchequer was expected to provide, so that no extra cost will fall on this country, leaving it open to the Indian Legislature to agree, if they think fit, to pay their half later on. It is in order to achieve this that this Bill is being moved; and it provides for the appointment of these two extra Judges with Indian experience to the Privy Council at a salary of £2,000 a year each.

Miss Wilkinson: Can the right hon. Gentleman say whether the objection of the Indian Legislature to the appointment of these two Judges was on general political grounds or that they were unnecessary?

The Attorney-General: Their objection was on general political grounds. I do not think there was any suggestion that the two judges were unnecessary, provided that Indian appeals were heard in the Privy Council. In another place, when this matter was discussed, the strongest possible view in favour of the Bill was expressed by Noble Lords who hold different political views from the Government. Lord Haldane was a very strong supporter indeed of the Measure. I commend the Bill, therefore, to the House in the belief that we shall do something to remedy what is a real grievance. I am sure we all desire that appeals to be heard by the Privy Council shall be heard by a staff of judges adequate in numbers and experience to deal expeditiously and satisfactorily with the great issues they have to determine.

Mr. Tinker: What will happen if the Indian Legislature do not find their £2,000?

The Attorney-General: The persons appointed will have to accept the lower salary of £2,000. That I anticipate they will be willing to do in the circumstances.

Miss Wilkinson: If the two persons appointed are willing to serve for £2,000, was it not rather unnecessary to offer the larger salary in the first instance?

The Attorney-General: It will probably be possible to find people who may be willing to accept a salary of £2,000 a year with a prospect of getting £2,000 more, whereas if you make the maximum £2,000 you would not, I think, get people of the right age and experience to undertake a task of this kind. We are not making these appointments as a mere retiring pension for judges who have served their full time in India. If that was so, it would be quite possible to get people to serve at a much lower salary, but there is a provision in the Bill that the persons appointed shall retire at the age of 72, and it is our intention to appoint people who are in the prime of their judicial faculties to these appointments.

**Sir Henry SLESSER:** I have consulted my noble Friend, Lord Haldane, on this matter, and he is fully satisfied from his great experience of the work of the Privy Council that the Bill is absolutely necessary. The Judicial Committee of the Privy Council is, perhaps, the greatest tribunal in the Empire. Appeals come to it from every country, involving every kind of question from demarkation to the proprietorship of idols, and it is a tribunal which cannot be too efficiently well staffed. In the past, as the Attorney-General has said, the staffing of the Judicial Committee was largely dependent of the number of ex-Lord Chancellors who happened to be available for the purpose, and, incidentally, let me say what I have always wished to say, that when people accuse ex-Lord Chancellors of doing no work and receiving pensions, there are no persons connected with the Judiciary who do more unpaid work on the Privy Council than those persons who have been Lord Chancellors.

At the moment, with the exception of Lord Haldane, the whole of this valuable source of judicial power is lacking, and there is no doubt that appeals are being held up and justice, which is urgently required, is delayed because of a want of an adequate staff in the Privy Council. No one having regard to the general salaries which are paid to the Judiciary will say that these particular gentlemen are being over-paid. Compare it with the salaries received by Masters of the Supreme Court, and Country Court Judges. When you propose that members of the Judicial Committee of the Privy Council shall receive £2,000 a year as members of this Supreme Court of Appeal in the Empire, it cannot be said to be an excessive payment. I feel that a case has been made out for the Bill, and I hope the House will pass it and the necessary Money Resolution so as to enable the Judicial Committee of the Privy Council to be properly staffed.

**Mr. Hore-BELISHA:** I desire to ask one question, and I hope my opportunity of receiving a reply from the Attorney-General has not passed. I desire to inquire, whether a decision of the Imperial Conference has been taken into account in relation to this Bill. On page 19 of the Summary of Proceedings, I find the following:—

"Another matter which we discussed, in which the general constitutional principle was raised, concerned the advantages governing appeals from judgments in the Dominions to the Judicial Committee of the Privy Council. From these discussions it became clear that it was no part of the policy of His Majesty's Government in Great Britain that questions affecting judicial appeals should be determined otherwise than in accordance with the wishes of the part of the Empire primarily affected. It was, however, generally recognised, that where changes of the existing system were proposed, which while primarily affecting one part raised issues in which other parts were also concerned, such changes ought to be carried out after consultation and discussion."

The Attorney-General has informed us that certain political objections have been raised in India, and that there may be a wish to revise the present procedure in regard to appeals to the Privy Council. It may be that in the near future there will be some reduction in the work of the Judicial Committee. Canada may desire no longer to submit her cases to this great Tribunal, and, in that case, there would not be the same necessity to increase the personnel, with the assistance of the taxpayers' money. And there may be other parts of the Dominions who may not desire to avail themselves of the present opportunities of coming to London. If I am right, is not this Bill a little premature, and could not its passage be delayed in order that the wishes of the Dominions may become more clearly expressed in regard to their future intentions? I hope the Attorney-General will be able to inform me whether the discussions at the Imperial Conference have been taken into account before the presentation of this Bill.

### The Labour Protest.

**M. KIRKWOOD:** I had no intention of taking part in this Debate, but I want to enter my emphatic protest, as a member of the working class and as a Socialist, that a member of our Front Bench should deliberately go out of his way to give his blessing to a proposal under which a man gets £4,000 a year. I think that is going a wee bit too far. We have just passed through one of the most awful and gigantic struggles on behalf of the working classes to maintain a living wage, or anything like the semblance of a living wage, and this same Government, this same Front Bench, this same team, that are asking us to agree to give one man £4,000 a year—

**Sir H. Slessor:** £2,000.

**Mr. Kirkwood:** You can say what you like. I say £4,000 a year; and "facts are chiefs that winna ding and canna be disputed." It is £4,000 a year. Am I right or wrong?

**The Attorney-General:** This House is being asked to vote £2,000.

Mr. Kirkwood: Yes, but I am astonished at even the Attorney-General, because he knows perfectly well—the Official Report will prove it to-morrow—that he said £3,000 from the British Exchequer and £2,000 from the Indian Exchequer. If that is not £4,000, I do not know what it is. There are the same men, the Prime Minister included, who are backing £4,000 for one man, as much wages as they are prepared to pay to 2,000 colliers; and we are expected to back a Bill like that, and our Front Bench will give its blessing to it after the titanic struggle that the miners have made. If ever there was class legislation, this is it. The Prime Minister says that there is no such thing as a class struggle in society. Here he is to-day backing one man for £4,000. Is not that a terrible difference? Is not that putting class against class—one man of the lawyer class, which costs this country every year over £100,000,000 to keep them going—£100,000,000, and they do not produce a single iota of the necessities of life, but simply live on the flesh and blood of those who do produce? Remember this, that all the good things, the good clothes that you wear, the good fruit that you eat and the good houses that you live in, are produced by labour, and whoever enjoys those good things without working for them is stealing the bread of the worker.

This is one of the reasons why this country cannot afford to give the miners and the workers in general a living wage. It is because there are certain individuals, under this system of ours, who take from it £4,000 a year. How long is it going to last? Are the Labour benches going to back a system that gives £4,000 a year to certain individuals who never have had to rough it, who never knew what it was to want their breakfast, who never knew what it was to be aching, as do the children in the slums, inasmuch as they do not know what it is to have a night's sleep because of the verminous conditions under which they live? Here is a body of men, Judges, who have been reared in the lap of luxury, and the very best that Britain can give them, and then when they come to 50 or 60 years of age they are to get this comfortable job. Why should they get it? What is it that these Judges have which is superior over me? [Hon. Members: "Brains!"] Hon. Members say "Brains." I am prepared to stand any test, and if I am not mentally and physically as well equipped as any man in this House, then I do not know what it means. If any of them can prove that they have rendered their country better service than I have done, I want to see them. This is just what is to be expected—rich men living in the lap of luxury—when it comes to one of their own class. I want the Prime Minister to think about this, because even yet I have not given him up. You get the Prime Minister of this country, after negotiating with my class, coming in direct contact with Cook and Herbert Smith and other members of my class, and seeing those men who, he knows, are just as capable—whether he differs from them in his point of view or not it does not matter—just as capable of stating their case, as competent in every way as any Judge, including Lord Haldane or all the Haldanes that ever were haldaned.

There is no Judge, there is no lawyer, there is no man in this country who has a right to £4,000 a year, while the miners and the engineers are paid the wages that they receive. Think of my own trade; think of the engineers. I know that my fellow-engineers are working for £2 15s. a week. It is a scandal, and there never was a Judge, there never was a Prime Minister, including the Present Prime Minister able to give a better account of himself or to give better service to the country than the skilled engineer, and yet the skilled engineer has to give his all for £2 15s. a week. Do you think that we are going calmly to sit here and listen even to our own Front Bench? It is enough to make the very stones cry out, to think that they would tell us that this £4,000 a year should be paid. It all turns on this, that you have on the one hand people with tens of thousands of pounds, taking tens of thousands of pounds; you have gentlemen on the other side of the House who are in the habit of drawing tens of thousands of pounds. [Hon. Members: "No."] They deny it. We had an example of that in Lord Vestey, who left this country in order to escape taxation.

Mr. Deputy-Speaker (Captain Fitz Roy): The hon. Member is now travelling rather wide of the subject before the House.

Mr. Kirkwood: I am keeping to the point, though I know quite well that I am not going on orthodox lines. But I am speaking the truth, and "truth cutteth keener than a two-edged sword." My folk outside to-day, the working classes of this country, are thinking about the idea of one man by Act of Parliament getting £4,000 a year. We have been told that it would not do for Parliament to interfere with the wages of the working classes, and that we must have freedom. Where is the freedom?

"O, Freedom, what things are done in thy name!"

Here is Parliament, here are the Tory party and the Prime Minister being part and parcel to a special Bill for the regulation of wages. [Hon. Members: "How about your

own Front Bench?" I can deal with my own Front Bench, and it can deal with me if it likes. Here you have the Government dealing with the wages of a certain class. They cannot deal with the wages of the working classes; they cannot be big enough. I thought the Prime Minister was big enough, when he said that he would cleave his way, if necessary, through private interests, in order to see that the working classes of this country got a fair deal. He failed, and failed miserably. He cannot bring in an Act of Parliament to ensure that the most valuable asset that the country has got, the working classes, get a comfortable living, but he is part and parcel to certain individuals getting £4,000 a year. I protest most emphatically, because, if the engineers are worth only £2 15s. a week, and the miners worth only the miserable pittance that this Government is responsible for forcing them to accept, then I say that there is no one in the British Empire who is worth £4,000 a year. The Government should think shame of themselves. If they were half human they would never bring forward a Measure like this.

Mr. N. MACLEAN: I want also to protest against a Money Resolution being brought in to supplement a Bill of this kind. The Government are constantly telling the people of this country, and particularly Labour Members and their supporters outside the House, that all remuneration amongst the working classes, for anything which they can do, must be based upon economic laws, that the economic laws which operate in this country determine and fix the wages of the workers. The engineers' wages, which are undoubtedly very low in consideration of the work that they perform, are supposed to be fixed by the law of supply and demand. During the whole of the miners' dispute the country was told by the Press, by the Prime Minister and by those who sit beside or behind him, that the miners must be prepared to accept what they could get because of economic laws. We were told that we could not fight against economic laws, and that the miners' wages must be determined by economic laws.

What did that mean? The Prime Minister himself and others, speaking on his behalf, admitted that he could not, and he would not, by Act of Parliament fix the wages which the miners were to receive, that there was to be no legal fixing of wages for the miners. Yet the Government brings in a Bill and a Money Resolution fixing the wages of two new Judges. It is not a question of increasing the wages of existing Judges, but the giving of powers to appoint two additional Judges, and they are to receive from this country £3,000 a year, with the right to have that £2,000 supplemented by £2,000 from the Indian Exchequer. I ask the Prime Minister and the Attorney-General why they do not apply their own logic and argument when they are trying to meet the claims of miners and other working people.

Mr. Grotrian: Can you get Judges for less?

Mr. Maclean: You lock out the miners when you want them for less; lock out the Judges and you will soon get them for very much less.

Mr. Grotrian: It is a question of supply and demand. You cannot get them.

Mr. Maclean: There are scores of lawyers in London with very few briefs and very little employment who would take a job of this kind for very much less than £3,000 a year and who would possibly do the work much better than the men you are about to appoint.

Mr. Grotrian: They have no knowledge of Indian Law.

Mr. Maclean: We do not require a knowledge of Indian law or any other law to realise that the lawyer's trade union is the strongest trade union in the country. We find the lawyers always on the job when there is some pecuniary advantage to be gained. We have only to look around these benches when a question of this kind is being discussed and we find on the other side practically all its supporters are lawyers. [Hon. Members: "No!"] Hon. Members have only to look around them. Let them go down to the smokers room and they will see more. If we divide, let them examine the Division list and see the number of lawyers who have come together in support of this proposal. That is my proof. Do hon. Members require any additional proof of my statement? They know it to be true, and all their interruptions, sneers and laughter go for nothing. Of course, they have a majority and that is why they can laugh, but a few more Halls will put them where we are now, and then we shall see who will laugh.

Mr. Deputy-Speaker (Mr. James Hope): That is a kind of prophecy, and does not seem relevant to the subject under discussion.

Mr. Maclean: It is true it is a prophecy, but this Bill deals with the future and I thought it might be in order to make a reference to the future of the Labour and Tory parties. I protest against the proposal which is contained in this Bill and in the Money Resolution which accompanies it. If this country cannot afford a living wages to those who produce wealth, it cannot afford high salaries to the individuals who are to be appointed under this Bill. I hope the matter will be pressed to a Division, because the

Division List, when published in the Official Report to-morrow, will be very interesting. I, for one, will go into the Lobby gladly against this proposal. I shall vote with a very light heart against a proposal to give £4,000 a year to two lawyers, when we can get scores of men to do the work at lower rates if we leave it to the operation of the economic law and carry out the Prime Minister's pet theory.

**Miss WILKINSON :** I think neither the Attorney-General nor the hon. and learned Member for South-West Hull (Mr. Grottrian) are to be congratulated on their logic in this matter. They have said, first of all, that it is absolutely necessary to fix a sum of not less than £4,000 a year and that otherwise, it will be impossible to get members of the legal profession of sufficient knowledge and ability to do this extremely important work. Yet in the same speech the Attorney-General declared that when the Indian Legislature puts its foot down and says it is not going to pay £4,000 a year, we can find two gentlemen who, without the faintest demur, will come along and take exactly the same jobs at exactly half the rate. I cannot congratulate the lawyers on their consistency in this matter. One can only congratulate them on the way in which they stand up for their own trade union when rates of remuneration are under consideration. Far be it from me, as a trade unionist, to object to that, if it were not for the fact that we always find the members of the lawyers' trade union leading the opposition when it is a question of the trade union rights of the working class. It is just because they are the most virulent opponents of the trade union rights of other people that they must be prepared to accept considerable questioning when their own extraordinarily high rates of remuneration are under consideration.

One congratulates them on having been able to induce in this country a sort of mystical appreciation of the legal profession. They are regarded as wonderful and even when—as I understood the Attorney-General to admit—one of them is 80 years of age, there is no question of expressing anything but admiration for the marvellous brain which they can bring to bear on the problems placed before them. At any rate, the members of the legal profession are not subject to the risks which the members of the miners' and other trade unions have to undergo and they might be prepared to take less for working in such a protected trade. Those of us who have to stand the sneers which come from the other side when we are begging and asking for some merely decent minimum rate—one shilling and one three-fourth pence an hour or something like that—are expected to vote without demur for a proposal to give £4,000 a year to these, no doubt, estimable gentlemen. I think the hon. and learned Member for South-West Hull used an expression about the law of supply and demand. I ask the Prime Minister and the Attorney-General if they are prepared to put this proposal to the test of supply and demand and to advertise these positions among the legal profession. Is it suggested that there are no Indian members of the Bar qualified for these appointments? I understand there is considerable unemployment among Indian members of the Bar. Is it suggested that none of them would be willing to take this job at a much lower figure than that now proposed? The hon. and learned Member for South-West Hull will hardly say that their knowledge of Indian law is insufficient, since they are specialists in the subject. At the present time, when we are told we cannot pay a subsistence wages for work which we cannot do without, I hope we shall not have to pay thousands to people whose work we could do without, were it not for the legal fiction and the mystery which surrounds it.

**Mr. BUCHANAN :** I think the proposal in this Measure cannot be justified. It is sometimes argued against us that our own Front Bench is just as bad as the Front Bench on the other side. I, at least, have a clear conscience in this matter, because when our own party brought in a proposal to increase a salary from £2,000 to £5,000, I proposed it, and was practically alone in doing so. Therefore, I am carrying out quite logically the line which I took on this question towards my own colleagues when they were in office, and I cannot be accused of differentiating between one side and the other. The only argument for this proposal is that set up by the hon. and learned Member for South-West Hull (Mr. Grottrian), that it is in accordance with the law of supply and demand. I remember as a pattern-maker during the War when, under the law of supply and demand, we could have demanded tremendous wages from the nation. So could the engineers at that time. We could have asked for, and I think we would have been given great concessions, but we were told—and, possibly, it was right—that we would be blackmailing the nation by taking advantage of a temporary shortage to insist on terms which the nation could not afford. It is admitted that since the War the men in the building trade have, in the common saying, "the ball at their feet," but it has been argued that the building trade were blackmailing the nation, and that no section of

workers has a right to insist on terms from the nation which are outside the nation's capacity.

Now we are told that the law of supply and demand which was rejected in the case of the engineers and the builders is to operate in the case of the Judges. Is there any difference in human nature between the engineer and the Judge? The Attorney-General has said that the Indian Government had to agree to guarantee 2,000 pound. They think it is an extortionate demand, but the British Government propose to take steps to compel the Indian Government to give terms which the Indian Government do not think they ought to pay. For such a proposal there cannot even be the justification which exists for a Cabinet Minister's salary. There is this to be said for the Cabinet Minister, that his job is precarious. Any election may end his term of office, but a Judge has a guarantee of full-time employment and full wages until he reaches the age of 72. There is also this important difference, that a Cabinet Minister has no provision made for his old age unless he is prepared to plead extreme poverty, but the Judge, whether poor or rich, has the guarantee of a handsome pension, and no deductions are made from his salary such as are necessary in regard to other classes of workers. The Minister of Health in answer to a question recently told us that the nation could not increase the amount of the old age pension. We are told that 10s. a week is sufficient for the old people of the nation and is all we can afford; but, by some miraculous process of reasoning, a Judge is said to be worthy of far more. A Judge has comparatively little responsibility. The responsibility of Judges is, in my opinion, largely overrated. So many people have little or no knowledge of a Judge's work, that advantage is taken of that lack of knowledge in order to "boost" the position. At a time when we are asking the miners and others to live on comparatively low wages, I submit that it would be criminal on the part of this House to agree to such an extravagant wages as this for these Judges.

Question put, "That the Bill be now read a Second time." The House divided: Ayes, 230; Noes, 28.

### Report of Committee Discussion.

The following is from the Hansard report:—

*Considered in Committee under Standing Order 71A. Mr. James Hope in the chair. Motion made, and Question proposed,*

"That for the purposes of any Act of the present Session to amend the Law with respect to the constitution of the Judicial Committee of the Privy Council, it is expedient to charge on the Consolidated Fund the yearly salary of two thousand pounds to be paid under the said Act to each of the two persons to be appointed thereunder to be members of the said Judicial Committee."—(King's Recommendation signified.)—(Mr. McNeill.)

Mr. MACLEAN: I do not think this matter ought to go through without some explanation from the Financial Secretary to the Treasury. Surely it is preposterous that we should be asked to vote £2,000 a year for two individuals, making £4,000 in all, without a word of explanation from him, and without some general statement as to the policy of the Government underlying its proposal. It is notorious that the Government come to this House with Financial Resolutions, and that when you, Mr. Chairman, or your colleague, puts the question from the Chair, the Financial Secretary or the Chancellor of the Exchequer gives a nod of the head, and on that it is expected that large sums of money are to be voted without explanation from those responsible. It is about time the House took charge of affairs, and demanded from those who are looked upon as being in control of the finance of the country that they should make some definite statement as to the reasons for the payments they ask the House to make. I think the House has a right to know just exactly what is in the mind of the Financial Secretary, and I hope we are going to have some statement, particularly when we have reminded the Government that there are other people in this country who, in our opinion, are more deserving of this money, who are more deserving of payments from the State, and who are being treated as though they were the worst possible aliens we could have in the country. When they ask for living conditions their claim is rejected, but here we have a proposal to pay £2,000 a year for year after year for two Judges. I am not going to protest against it at this stage, but I want to know what it means.

There is another point I would like some explanation upon. It states in the Bill that in the event of death vacancy occurring, further appointments can be made to make up the number of Judges to two. It is quite a reasonable thing to assume that in those circumstances—

The Chairman : The hon. Member can discuss the amount to be paid, but he appears now to be discussing provisions in the Bill. They can be discussed during the Committee stage of the Bill, but not on this Resolution.

Mr. Maclean : The Financial Resolution reads : "That, for the purposes of any Act of the present Session to amend the Law with respect to the constitution of the Judicial Committee of the Privy Council, it is expedient to charge on the Consolidated Fund the yearly salary of two thousand pounds to be paid under the said Act to each of the two persons to be appointed thereunder to be members of the said Judicial Committee."

Surely I would be in order in putting a question as to the implications which the appointment of these Judges, and their payment would bring upon this House?

The Chairman : I thought the hon. Member was discussing some provision in the Bill for further appointments on vacancies occurring.

Mr. Maclean : No, my point is this, if these Judges retired would they retire upon a pension, and would it be necessary for a further financial resolution to be brought in in order to provide the additional sum that would be necessary for their pensions? It is only right the House should know how for we may be pledged to payments to these individuals. It may be that certain individuals may be appointed who may have to retire through ill-health, and we may be paying pensions to ex-Judges and paying 3,000 pound a year to the Judges filling the places they have vacated.

The Government talk a great deal about the necessity for economy, how the country cannot afford this and cannot afford that, how old-age pensions cannot be increased, how housing subsidies have to be cut down, how health conditions are worsened, how payments to education authorities must be reduced—in fact, on every occasion when we make requests for expenditure on those social services to be maintained at the standard at which it used to be maintained, we are told the country cannot afford it. When, however, it is a question of finding money for Judges, finding money for individuals in this particular sheltered trade, they are not held up to ridicule and opprobrium such as ordinary working men or women getting weekly wages in other sheltered trades have to encounter. When the case of those who are skilled in word-spinning and legal jugglery comes before this House, we are asked to believe that this is some wonderful and great profession which will attract men to it only if they get the highest possible standard of living that our civilisation can offer. If this is the standard of living to which Judges are entitled, I submit the standard of living of every other individual in this country ought to be equal to that of the best Judge in the land; and if this country cannot afford to give to the workers of this country, who produce the wealth, a standard of living higher and better than is found for them by the present Government, the House has no right to vote away £2,000 a year for new judges, with the problematical addition of another £2,000. It is time the House took possession of the financial situation. If we have not the money to provide the people with the conditions which our present progress in civilisation merits, and which the productive activity of this country entitle them to have, this country is too poor to afford £2,000 a year for two new Judges.

The Financial Secretary to the Treasury (Mr. Ronald MCNEILL) : The only reason I rise is that if I did not do so I might appear to be discourteous to the hon. Gentleman after the pointed appeal he made to me personally; but really I do not think there is any occasion for me to discuss the matter, which has been fully dealt with already on the Second Reading of the Bill, a Debate which has just been brought to a close. Then my right hon. Friend the Attorney-General dealt fully with all the merits of the case. The hon. Member spoke as though on matters of this sort the Treasury had a separate and distinct standard. The hon. Member must remember that these are proposals of the Government, that this is the policy of the Government, and a Measure of this sort would not have been brought before the House if all the financial aspects of it had not been already considered by the Treasury. When a member of the Government like my right hon. and learned Friend brings forward a Bill and a Resolution of this sort is required, I think the House may take it for granted that there is no divergence of view between the Attorney-General and the Treasury on the point.

Mr. Maclean : May I ask for an answer as to the point I put regarding the possibility of pensions having to be paid? In that case would the Government have to bring in another Money Resolution?

Mr. McNeill : If any question of pension for these Judges arises, of course provision would have to be made for it by the House, and in that case, no doubt, another Money Resolution would have to be brought forward.

Miss WILKINSON : May I ask two further questions? The Attorney-General said the gentlemen who were going to have these posts would take them on the understanding



that an extra 2,000 pound would probably be given in future by the Indian Legislature. Can we have an undertaking from the Secretary to the Treasury, first, that no pressure, political or otherwise, will be brought to bear on the Indian legislature to provide this extra 2,000 pounds for people whom, apparently, they do not want; secondly, can we have an assurance that if the Indian Legislature persist in a refusal not to give this 2,000 pounds, he will not come to this House to make up the salary to 4,000 pounds—the amount which he had laid down as the salary?

Mr. SULLIVAN: I want to ask the members of the Conservative party if this is what they preach at the election. Here the Government are making proposals for these appointments, and they imagine that we have no right to ask for an explanation to be given to the House. It may be that your Judges are worth 2,000 pounds a year, and that you require two additional Judges, but what I want to know is that when you suggest that there is the possibility of a man of 72 years of age getting 4,000 pounds a year you are doing something which you would be afraid to tell the electors of the country. I protest against this method of adding to the burdens of a nation, and I hope we shall take advantage of this opportunity of driving the Government supporters into the Division Lobby in regard to this Vote.

Captain W. BENN: I feel that the preservation of the right of appeal is a very important part of our Imperial relations. I think in this matter we have a right to complain of a lack of candour on the part of the Attorney-General. First of all we are told that only 2,000 pound was to be voted, and then he told us that another 2,000 pound was to be paid by the Indian Legislature. Now it appears that there is to be a pension attached to it. I think we should be told that this is not simply a Vote for 2,000 pound, but that there is a possibility of a further 2,000 pound if the Indian Legislature does not vote that amount, and besides this, there is the possibility of a pension. Some hon. Members on these benches who would not support a Motion for a reduction of this Vote feel that we should have had a little more candour from the Attorney-General on this question. Inasmuch as we are now dealing with the question whether the additional 2,000 pound is likely to be voted by the Indian Government, and whether we shall be asked to vote it in this House if the Indian Government refuses, I think some representative of the India Office should be here to answer that question. I do not know whether the Under-Secretary of State for the Colonies represents the India Office on this matter.

The Under-Secretary of State for Colonial Affairs (Mr. Ormsby Gore): No.

Captain Benn: Then why is the Under-Secretary of State for India not present when this Money Resolution is being discussed? How can the Attorney-General give us full information as to whether the Indian Legislature objects to paying this money or not. It is important that we should know these facts, and only one person can tell us and that is the representative of the India Office. I think we might have had a little more candour about the full financial position, and we want more information about the intention of the Indian Legislature.

The Attorney-General: The hon. and gallant Gentleman has charged me with a lack of candour, but I wonder whether he took the trouble to be present when I moved the Second Reading of the Bill and listened to what I said on that occasion.

Captain Benn: As the Attorney-General is in the habit of making that kind of attack, I wish to say that I was present and I had the inestimable privilege of hearing what he then said.

The Attorney-General: In that case the hon. and gallant Member's charge is absolutely inexcusable, and, if he refers to the Official Report of our proceedings on that occasion, he will see that we asked the House to vote a Salary of 2,000 pound that the Indian Legislature had been asked to give an additional 2,000 pound, that last year the Indian Government did not agree, but that there is some hope that they may change their mind and do so later on. In view of the fact that the hon. and gallant Gentleman says he heard what I said, and has now been misrepresenting me, I say that his action is absolutely inexcusable. The only other accusation is that I did not tell the Committee that these Judges were to have pensions. The reason I did not tell the Committee that is that they are not to have a pension.

Mr. Thurtle: I beg to move, "That the Debate be now adjourned." I do so owing to lack of information in regard to this vote, and the absence of any representative of the India Office.

The Chairman: That is not quite the proper procedure. The hon. Member should move to report progress.

Motion made, and Question put, "That the Chairman do report Progress and ask leave to sit again."—(Mr. Thurtle):

## GOVT. OF INDIA REPORT ON THE International Labour Conference.

[The Eighth and Ninth Sessions of the International Labour Conference were held at Geneva in May and June 1926. The following is a short report of Sir Atul Chatterjee, the Govt. of India Delegate to the Conference, and was published in India in September 1926 in response to a suggestion made in the Legislative Assembly. The speeches delivered by the Indian Delegates on the occasion have been given in the 1st Volume of the Register p. 145.]

The Eighth Session opened on Wednesday, the 26th May, 1926 and closed on Saturday, the 5th June. The Ninth (Maritime) Session opened on Monday, the 7th June and closed on Thursday, the 24th June. At the Eighth Session there were 14 and at the Ninth 17 plenary sittings. At each Session there were also numerous meetings of the Committees set up to deal with the various items of business.

### EIGHTH SESSION.

*Government Delegates.*—Sir Atul Chatterjee, K.C.I.E., High Commissioner for India; Sir Louis Kershaw, K.C.S.I., C.I.E., Assistant Under Secretary of State, India Office.

*Adviser.*—Mr. R. N. Gilchrist, Labour Intelligence Officer, Bengal.

*Employers' Delegate.*—The Hon'ble Sir Arthur Froom, of Messrs. MacKinnon, Mackenzie & Co.

*Workers' Delegate.*—Mr. Lajpat Rai, M.L.A.

### NINTH SESSION.

*Government Delegates.*—Sir Atul Chatterjee, K.C.I.E., Sir Louis Kershaw, K.C.S.I., C.I.E.

*Advisers.*—Mr. R. N. Gilchrist. Mr. J. E. P. Curry, Shipping Master, Bombay.

*Employers' Delegate.*—The Hon'ble Sir Arthur Froom.

*Adviser.*—Captain H. J. Rouse, Marine Superintendent, B. I. S. N. Co., Ltd., Calcutta.

*Workers' Delegate.*—Mr. M. Daud, M.A., B.L., M.L.C., General Secretary, Indian Seamen's Union, Calcutta.

*Adviser.*—Mr. S. Moghal Jan, Chief Steward.

Much interest was evinced at both Sessions of the Conference in the protests against the nomination of Sir Arthur Froom as the Indian Employers' delegate. This was the first occasion in the history of the International Labour Conference when the nomination of an Employers' delegate had been challenged. Moreover, printed documents in English and French setting forth in full the case of the protesting associations was extensively circulated among all Members and visitors to the meetings.

At the Eighth Session protests were lodged by four bodies, the Karachi Buyers' & Shippers' Chamber, the Indian Chamber of Commerce, Calcutta,

the Karachi Indian Merchants' Association, and the Burma Indian Chamber of Commerce. The same protests, together with one from the Indian Merchants' Chamber, Bombay, were made to the Ninth Session of the Conference. The protesting bodies were represented at Geneva by Mr. S. N. Haji, who supported their case in person before the Credentials Committee of each Session.

The CREDENTIALS COMMITTEE of the Eighth Session found that Mr. Narottam Morarjee had been offered by the Government of India the position of Employers' delegate to the Eighth Session and had for certain reasons declined the invitation. The Committee felt that it could only take into consideration this refusal and it could not enter into the reasons for it. Nor could it take into account the argument put forward by the protesting organisations that after Mr. Morarjee's refusal the Indian Government should have offered the position to another Indian, in view of the fact that no other candidate was proposed by the Chamber of Commerce which nominated Mr. Morarjee. The Credentials Committee noted that the principal question at issue (*viz.*, whether Sir Arthur Froom had been recommended by the 'most representative organisation') was connected with the Ninth Session of the Conference and the recommendation that the Eighth Session should validate the nomination of Sir Arthur Froom could not prejudice the consideration of this principal question by the Ninth Session.

When the subject came up before the plenary meeting of the Eighth Session, Mr. Lajpat Rai (the Indian Workers' delegate) said that he only wished to state that he did not accept the position taken by the Government delegate about the most representative character of the Organisations represented by Sir Arthur Froom. Sir Louis Kershaw also declined on that occasion to enter into the merits of the question but expressed his readiness to make it clear at the Ninth Session that Sir Arthur Froom had been nominated by the most representative organisations of employers in India. The proposal of the Credentials Committee to approve the Credentials of the Employers' delegate of India was then adopted without any opposition at the Eighth Session.

The protests came up in due course before the Credentials Committee of the Ninth Session of the Conference. The report of this Committee is self-explanatory and is reproduced in full below :

"Five Indian employers' organisations (1) the Buyers' and Shippers' Chamber of Karachi, (2) the Karachi Indian Merchants' Association, (3) the Burma Indian Chamber of Commerce, Rangoon, (4) the Indian Chamber of Commerce, Calcutta, and (5) the Indian Chamber of Commerce, Bombay, have addressed to the General Conference, which has transmitted them to the Credentials Committee, five objections to the Credentials of Sir Arthur Froom, appointed by the Government of India as Employers' Delegate for that country.

The Committee has carefully examined the documents submitted to it. It has also heard the evidence of Sir Louis Kershaw, Indian Government Delegate, Sir Arthur Froom, Indian Employers' Delegate, and Mr. S. N. Haji, the duly accredited representative to the Conference of the protesting organisations.

From the documents placed before it and the oral explanations, the Committee notes the following facts :—

The objections allege (1) that Sir Arthur Froom represents neither Indian interests nor Indian employers: (2) that the organisations which nominated Sir Arthur Froom are not the most representative organisations of the employers of India.

With regard to the first point, the Committee, whilst considering that the representation of a country at the General Conference should be a national one, has not been able to discuss the substance of the question nor to form an opinion upon a problem the solution of which undoubtedly rests with the Government of each of the Members.

With regard to the second point, the Committee finds as follows: the Government of India, by a press *communiqué* dated 8 October 1925, invited the employers' organisations of India to nominate, before the 15th January 1926, a delegate for each of the two Sessions of the General Conference of the Representatives of the Members.

Within the time limit thus fixed, two Chambers of Commerce, those of Bengal and Bombay (European Chambers), nominated Sir Arthur Froom, and two Indian Chambers of Commerce, that of Bombay and the Buyers' and Shippers' Chamber of Karachi, nominated Mr. Narottam Morarjee. After the expiration of the time limit, the three other Chambers of Commerce which have now lodged objection also supported the candidature of Mr. Narottam Morarjee. The appointment of Sir Arthur Froom as Employers' Delegate was made by the Government of India during the month of March. The employers' organisations which have lodged objections, and their representative Mr. Haji, have assured the Conference and the Credentials Committee that the Chambers of Commerce of Bengal and Bombay, which have nominated Sir Arthur Froom, were not the most representative of the Employers of India.

On the contrary, the Delegate of the Government of India, Sir Louis Kershaw, has made a formal declaration to the Committee that these Chambers of Commerce for the purpose of this Conference were really the most representative of the employers of India.

On the basis of the numerous documents submitted to the Committee, as well as on the ground of the oral explanations made to it, the Committee has nevertheless not been able to arrive at the conclusion, as requested by Mr. S. N. Haji on behalf of the objecting organisations, that the Chambers of Commerce which nominated Sir Arthur Froom were not the most representative of the employers of India.

In these conditions, the Committee deems it expedient that the General Conference should proceed to validate the credentials of Sir Arthur Froom."

On this Report of the Credentials Committee being taken into consideration at the plenary sitting of the Session, Mr. Daud (the Indian Workers' delegate), while admitting that Sir Arthur Froom had been selected by the most representative Chambers of Bengal and Bombay consisting of European Employers, differed from the view that these Chambers were the most representative Employers' organisations in India. He added that Indian employers who were not members of these organisations possessed a larger number of factories and used a larger amount of capital than European employers in India. Mr. Daud suggested that European and Indian employers' organisations in India should come to a common understanding in regard to the appointment of representatives to the International

Labour Conference or else the Government should nominate such representatives by rotation. On the assumption that Mr. Daud was not opposing the proposal of the Credentials Committee, Sir Louis Kershaw refrained from discussing the merits of the case. He drew attention to the desire of the India Government that Indian employers should participate in the Conference as evidenced by efforts made by them to give Mr. Morarjee an opportunity to come to Geneva. In regard to Mr. Daud's suggestion regarding future nominations, Sir Louis Kershaw endorsed the proposal that European and Indian employers should come to a common understanding but he pointed out the difficulty in a system of rotation in view of the obligation of the Indian Government to comply with the exact terms of the Treaty. The plenary sitting then adopted the Report of the Credentials Committee without any opposition.\*

### The Eighth Session.

*Agenda.*—The items on the Agenda for the Eighth Session of the Conference were:—

- (1) Discussion of the Director's Report.
- (2) Simplification of the Inspection of Emigrants on Board Ship.
- (3) Consideration of a proposal made by the British Government to deal with the Reports rendered by States Members of the Organisation under Article 408 of the Treaty of Versailles.
- (4) Amendments to the Standing Orders of the Conference.
- (5) Resolutions (submitted by individual delegates under Article 12 of the Standing Orders of the Conference).

*Elections and Committees.*—Mgr. W. H. Nolens, Government Delegate of Holland, was elected President of the Session. The Vice-Presidents were Dr. Aristides De Agüero Y Bethancourt (Cuba) for the Government Group, Dr. Francois Hodac (Czechoslovakia) for the Employers' Group, and Mr. Hermann Muller (Germany) for the Workers' Group. Sir Atul Chatterjee was unanimously elected Chairman of the Selection Committee which directs and organises the work of the Session.

In addition to the Selection Committee and the Credentials Committee, four Committees were constituted to deal respectively with (1) the procedure relating to the examination of reports under Articles 408, (2) the Double Discussion Procedure, (3) the Amendment of Standing Orders, and

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\*In this connection it would be interesting here to read a special cable to *The Bombay Chronicle* from Paris which said that Prof. Haji, the representative of the Indian Chambers, en route to London at the end of the Geneva Labour Conference, when interviewed, expressed satisfaction at the result of the Geneva mission, regarding protests against the nomination of the employers' delegate. He said: "There continued for one hour and a half an interesting discussion before the Credentials Committee, between Sir L. Kershaw and Sir Arthur Froom on the one hand and himself on the other. Its effects on the Committee, were favourable to Indian sentiments judged by various admissions, made by the Committee in the report, which deemed it expedient to validate the credentials of Sir Arthur Froom. In the discussion before the Committee, the Indian Government delegate seems to have gone to the length of saying that Indian protests were not genuine and that they were political, being connected with agitation for the reservation of coastal traffic." Prof. Haji challenged Sir L. Kershaw to point out a single statement in all the protests which was political in nature. He assured the Committee that the protests were based fully on the right of the Indian Associations to representation at International Conferences. Upon this position being accepted by the Committee, Sir L. Kershaw, after preliminary explanations which were not accepted, finally withdrew his statement. Ed.

(4) Inspection of Emigrants. The Indian Government secured representation on the first and second of these Committees as well as on the Selection Committee. Sir Arthur Froom obtained a place on the Fourth Committee. Mr. Lajpat Rai was elected by the Workers' Group to be a member of the Third Committee and a substitute member of the Selection Committee.

*Discussion on the Director's Report.*—The Report for 1926 was 757 pages in length and the debate occupied five full sittings of the Session. The discussion was of the same general nature as in previous years, but at the Eighth Session no mention was made of maritime labour, as it was understood that a portion of the time of the Ninth Session would be devoted to the purely maritime sections of the Report. Much of the discussion, as usual, related to the slow progress in the ratification of the Washington Hours Convention, but the speeches indicated considerable hope that tangible results would follow the Conference on this subject held in London in March last between the Labour Ministers of Great Britain, France, Germany, Belgium and Italy, the countries of chief Industrial importance in Europe. This feeling was strengthened by the declaration of the Belgian Government representative that his Government had definitely recommended ratification to the Belgian Legislature and the later announcement that the Belgian Chamber of Deputies had adopted the Bill. In France, too, the legislation necessary for ratification is at present before the Senate, the Chamber of Deputies having already passed it. The German Government representative stated that a Bill had been drafted and was at present under consideration by the Federal States. No definite announcement was made by the British Government representative beyond the statement that the results of the London Conference were under the consideration of His Majesty's Government.

Interesting references were made by several delegates to the new industrial experiments in progress in America, and to which the Director devoted some space in his Report. The introduction of new scientific ideas in the organisation of industry was welcomed by the Workers' delegates, while regret was expressed that the United States, the home of these ideas, was not a Member of the International Labour Organisation.

A feature of special interest to India in the debate on the Director's Report at the 1925 Session of the Conference had been the discussion regarding the failure of Japan to ratify the Washington Conventions relating to hours of work and night work of women. This question was again raised at the Eighth Session. Sir Arthur Froom, who led the debate on this subject, put the case of the Bombay Millowners in a cogent and forcible manner. He gave a resume of recent Indian factory legislation and described the serious situation that had arisen in the Indian cotton mill industry owing to the hours of work and the night work of women in Japanese mills. He brought to notice, as evidence of the earnest desire of India to ameliorate the condition of workers, not only the ratification of the Washington Conventions, but also the passing of new measures such as the Workmen's Compensation Act and the Trade Unions Act. He deplored the fact that there had been no improvement in the position in Japan during the twelve months that had elapsed since the last meeting of the Conference. The Japanese Factory Act of 1923, though passed by the Diet, had not been promulgated, nor would it adequately fulfil Japan's obligations under the Washington Convention. After promulgation, a further three years' grace

was to be given before the provisions of the Act, meagre as they were, were put into operation.

Sir Arthur Froom's plea was ably supported by Mr. Lajpat Rai, who made a strong appeal to Japan on grounds of humanity and in the interests of the mothers of the race. He mentioned not only the prohibition of night work of women in Indian factories, but also the efforts which were being made to prohibit the underground work in mines by women and children, the existence of which in Japan was brought prominently to the notice of the Conference by Mr. Narasaki, the Workers' delegate of Japan. (It may be noted that at a later stage Sir Atul Chatterjee pointed out that underground work by children was at present absolutely prohibited in India.) Mr. Lajpat Rai expressed a strong hope that Japan would 'vindicate the honour of the East and the Orient'. The reasoned and temperate speech of Mr. Lajpat Rai was reinforced by an equally powerful appeal from Miss Margaret Bondfield, who accompanied the British Delegation as Adviser to the Workers' delegate. As a representative of trade union sections interested in women's work, Miss Bondfield acknowledged thankfully the improvements that had already taken place in India and Japan. She saw however no justification for the procrastination of Japan in prohibiting the night work of women. She drew attention to the condition of women workers in China and added "What can we say to them if in that near country of Japan these necessary reforms are being continually postponed? It is because that we feel that we must look to Japan for the greatest influence in bringing about an amelioration of the condition of affairs in China. The Indian Delegate put it from the standpoint of the way in which Japan was retarding the growth of development in India. I agree, but it is still more terrible to think of that country which has worse conditions than Japan and which is being encouraged to do nothing by the fact that Japan, that highly organised, highly efficient country, is delaying the operation of these Conventions." She hoped that it would soon be possible to say that "Japan is determined to come into line to help to save the lives of large masses of women, who in the past have been the most exploited sections of the labour movement".

Sir Atul Chatterjee, who spoke after Miss Bondfield, expressed gratification on behalf of the Indian Government and the Indian people for the very appreciative and encouraging references that had been made in the Director's Report and in the speeches in the Conference to the very satisfactory progress of social legislation in India. He pointed out that India was the only country of chief industrial importance which had ratified the Hours Convention. The five chief countries of Europe were engaged in serious consideration of this matter, but India was particularly interested in ratification by Japan 'which is the country nearest us and with which we have the closest commercial relations.' The position of India was becoming more difficult every year, and although under the Treaty Japan was perfectly free to ratify or not to ratify, Sir Atul Chatterjee hoped that in the same way as the countries of chief industrial importance in Europe were giving close attention to the subject, Japan also would do the same. Turning to the subject of night employment of women, he showed how the Washington Convention was merely a confirmation of a similar Convention that had been passed in Berne in 1906 and how every civilised country had in practice prohibited the night work of women. The 1923 Japanese Act did not carry out the requirements laid down at Washington. The object of the Washington

Convention was to secure a complete stoppage of all work for women for at least eleven hours during the night, whereas the Japanese Act abolished work only between the hours of 10 p.m. and 5 a.m., with permission to the administrative authorities to extend the night period to 11 p.m. As in his speech on this subject last year, Sir Atul made a strong appeal on ethical grounds to the Japanese Government.

Mr. Mayeda, the Japanese Government delegate, spoke on very much the same lines as in the previous year. He repeated that in actual fact, hours in Japanese cotton mills were practically the same as those prescribed by the Washington Convention. Mr. Mayeda explained that delay in the promulgation of the 1923 Act had been the result of the disastrous earthquake in Japan in 1923. He was however able to announce that the Act was to be promulgated on the 1st July 1926, a statement that was received with much satisfaction by the Conference.

What may be termed the Oriental part of the debate was wound up by speeches from Mr. Matsukata, the Japanese Employers' delegate, Mr. Narasaki, the Japanese Workers' delegate and Mr. Chao Hsin Chu, the Government delegate of China. Mr. Matsukata defended the Japanese cotton mills which he said have better conditions than the Indian mills. He himself, however, as an employer had introduced the eight-hour day in his own works, which employed 15,000 men. Mr. Narasaki in chronicling the grievances of Japanese workers laid special stress on the fact that Japan had not taken adequate measures to protect women and children in industry.

In an interesting speech regarding labour conditions in China, Mr. Chao Hsin Chu pointed out that China was still predominantly an agricultural country. Industrialism had come to China but would have to adapt itself to Chinese conditions. Factory industries were at present confined to the Treaty Ports which did not conform to Chinese law. The decree issued in 1923 by the Chinese Government reforming factory labour conditions and appointing factory inspectors had no force in the extra-territorial areas. The Chinese labourer was different from labourers in the West, in that he was satisfied to earn just enough to keep body and soul together and objected to being made a part of modern industrial machinery, as was shown by the recent strike in Shanghai in which the workmen considered better treatment to be more important than enhanced wages and shorter hours.

In addition to his appeal to Japan, Mr. Lajpat Rai had in his speech referred to a few other problems. He drew attention particularly to the position of native and coloured labour in countries with foreign Governments or with Governments under Mandates, a subject to which he returned later when he moved a Resolution asking the Office to study the conditions of such workers. He was careful not to introduce into the discussion on the Director's Report any controversial matter regarding the position in the British Dominions, particularly in South Africa. Mr. Lajpat Rai also raised the question of forced labour both in British India and in Indian States. On this point Sir Atul Chatterjee replied that forced labour was permitted by law in British India only in certain exigencies such as the prevention of damage to canals and irrigation works. He added that the Government representatives at the International Labour Conference were not authorised to speak for the Indian States. The question of forced labour had been raised more than once in the Assembly of the League of



"My first impressions were somewhat unfavourable. The depressing character of the Salle de la Reformation, in which the Assembly sits, the confusion attending the first day of the Session, the time wasted in apparently fruitless oratory—all these made me wonder for a moment whether I had really served my country and my Order by leaving India to attend such a gathering. But before long I observed two things. In the first place, this was no ordinary meeting of Parliamentary representatives. I had only to look round about me to discover the majority of front-rank statesmen of Europe. Almost every one of the fifty nation here represented had sent its Premier or its Foreign Minister, and in some cases both. It was further plain that a large number of these eminent statesmen were personal friends. Nor I was greatly struck by the cordiality of the atmosphere. As it seems to me it is no small thing to gather together in a single hall the men who by their official position, and the power which it has placed in their hands, are authorized to speak for almost half the world. The mere fact that they meet, talk, and dine together cannot but encourage harmony, smooth over difficult questions, and conduce to friendly arrangements. Indeed, one of the most practical achievements of the League is its encouragement of the habit of compromise, of give and take, of the settlement of differences by friendly discussion.

#### Second Observation.

"My second observation was equally interesting. It became plain to me that the League performs for public opinion the task which a lens performs for light: it receives it transmits, it and concentrates it upon the point where it produces the maximum effect. To public opinion the Assembly in particular is very sensitive; and in the atmosphere of enthusiasm which characterizes the sessions, resistance to a certain kind of demand is almost impossible. Hence arises to my mind a particular blend of strength and weakness which runs through all the doings of the League. On the one hand, Great Powers, despite all the diplomacy that can be devised, frequently find themselves confronted with a situation in which they have either to accept the prevalent sentiment, or to incur an undesirable odium by remaining isolated in resistance to it. This is on the whole healthy especially as smaller States, which, make up what may be called the rank and file of the League, respect the position of the Great Powers, and do not as a rule employ their numerical majority injudiciously. Here let me note emphatically that my experience is far from confirming the complaint made by certain superficial observers that the "equality" of the League is mere camouflage. It is very far from true to say that the Great Powers "rig" everything from behind the scenes; that the smaller States are mere puppets dancing at the bidding of a hidden hand. On the contrary, there is a perpetual give and take. The smaller States take care not to press the Great Powers too hard; but the Great Powers cannot resist, as experience has shown, a strongly backed demand for action of a particular kind. Their influence as a rule is cast in the direction of moderation. They endeavour to cure injudicious enthusiasm, to inculcate cautions, and to prevent the adoption of sweeping resolutions which there is little prospect of carrying into effect. When for some reason or another they abandon this function for the moment curious things happen. Witness the events of the Fifth Session, when the Premiers of Britain and France, far from

guiding the enthusiasm of the Assembly into channels which admitted of early practical expression, put themselves in the advance-guard of the idealists, acted as though there was no distinction between saying something and doing it, and altogether ignored difficulties of the most obvious kind in a manner worthy only of a revolutionary convention.

#### Assembly's Force.

"There can be no two opinions as to the force, call it moral or call it psychic, wielded by the Assembly. This body reacts clearly and emphatically to the proposals placed before it, and gathers behind it sentiments and impetus which makes them most difficult to resist. For which reason there is always the risk that it may be stampeded into unreflecting idealism and thus commit itself to views or programmes of a character likely to affect deleteriously its own influence and reputation. It is therefore important and there should be submitted to the Assembly only those proposals which have been carefully considered from the point of view of practicability, and properly prepared from the point of view of constitutional procedure.

"Hence comes the unique importance of the work of the committees. It would be a mistake to assume, as is sometimes done, that the Assembly is a mere rubber-stamp which automatically places its imprimature upon the decisions of the committees. The Assembly has a formidable will of its own; it will reject or alter, from time to time, what is placed before it. But the committees act as a strainer for much of what might otherwise clog the machinery. It is in the committees that the wild-eyed enthusiasts find themselves compelled to reckon with hard facts; in the committees that amicable compromises are arranged and working harmony cemented; in the committees that the burden of the work is carried through. Personally, I was so much convinced of the truth of this, that I deliberately concentrated upon the committees side of the work, and left the Assembly rather alone. I may be pardoned for remarking that this line of action was justified by its results. Two questions in particular, among the cases definitely assigned to me, threatened to involve, either directly or indirectly, implications of a very undesirable nature. It would have been open to me to reserve my views, and those of the Government of India, for the open Assembly. I preferred to bring my guns to bear in committee, with the consequence that I was able to secure all the desired results without incurring the odium of strongly opposing, in public debate, the views of a certain great and friendly Power.

#### Social Aspect.

"A word about the social side of the League. Everyone works so hard during the four weeks of the session that large and elaborate entertainments are somewhat at a discount. Many Delegations confine their hospitality to a single soiree for one admirable concert, to which everyone is invited. I myself preferred to arrange a continual series of small, informal lunches and dinners, at which I had the privilege of entertaining privately and separately the Delegation of each important nation. Among the results I count many new friends, much first-hand information about the drama of contemporary politics from persons who play the leading part therein; and—as I sincerely hope and trust—the awakening of a new appreciation, in several quarters at least, of the character and ideals of my own Orders and of my fellow-countrymen".

# Indian Propaganda in Britain

## India and the Labour Party.

People in India were considerably pained and surprised at the attitude of Labour spokesmen in Parliament towards Lord Birkenhead's speech of the 7th July. An impression gathered considerable strength among the adherents of the Indian National cause that there was want of sympathy between the English Labour movement and the aspirations of the Indian people. Colonel Wedgwood's speech in the House of Commons during the debate on India Office Estimate accentuated the dissatisfaction. The gallant Colonel, forgetting for the time that it was the Labour Party's policy to grant immediate Self-government to India, sought to force the Swarajists to work the dual system of Government which the different sections of political parties in India had condemned outright. We quote below a very informing article of *Hindu* showing the Labour mentality and commend a careful perusal of it to our readers :—

"Salvation for India should certainly come from within : the idea of our securing Swaraj mainly through the help of outside agencies, without ourselves making great efforts and big sacrifices for it, is galling to our self-respect. Nobody believes in the possibility of India retaining her freedom for any length of time if she has got it by mere gift, not by her own exertions proving her worth and capacity. Nevertheless, it would be foolish puritanism and harmful impudence, if in our fight, we do not take care to enlist on our side the support of persons or associations whose general outlook on life and predisposition are in favour of rescuing struggling nationalities from the fetters which bind them. That is why we attach importance to the work of propaganda abroad ; in Great Britain in particular there is good work to be done in this direction, and so far as intellectual adherence to the ideal of equality of opportunity and human brotherhood is concerned, there can be no doubt that the Labour Party is the one organisation in that country which can be approached with some prospect of our obtaining sympathy and, if possible, active assistance. Moreover, that Party has made promises and given pledges which India is entitled to ask should be redeemed as early as possible. We should do nothing which would disturb India's relations with that Party, but frankness and candour should inspire our discussions with it on our problems. That is why we consider that the controversy between Indian and Labour leaders should be conducted in a way which would help mutual understanding and lead to better appreciation of each other's difficulties and view-points.

"From a perusal of the debates in Parliament and of the correspondence in the press it appears that the major differences between the Labour Party and Indian leaders are quite capable of being easily explained. That we in India have been surprised and pained by the attitude of Labour spokesmen in Parliament towards Lord Birkenhead's speech is only too true ; it is undeniable that, owing to our own inability to do anything for India when it was in office, this has accentuated the dissatisfaction. We may think over it, Mr. Ramsey Macdonald and Col. Wedgwood cannot but realise and appreciate India's disgust at the inordinate delay in Great Britain fulfilling its pledges to India, and at Labour, which has always stood for immediate self-Government, hesitating to give effect to its views. Hell is paved with good intentions and it is rather unreasonable to expect India to remain quiet in the belief that one day Swaraj would come to her like manna from above. Further, it is unreasonable, regard being had to the shameless way in which solemn assurances have been thrown to the winds that Indian politicians should be dictated to in regard to the methods of political agitation. It is extraordinary that such a sincere friend of India as Col. Wedgwood should seek to force Swarajists to work a system of dual government which his own Party, Indian Liberals and Indian Ministers have all combined to condemn outright.

One sees in this unreasonable demand more the disappointment of the enraged donor whose doubtful gift is refused than the calm disposition of a balanced mind which is able to relate results to causes and look at things in their proper proportion. One of the unjust and unwarranted charges is that Indian leaders do not care for Indian labourers and that they are against any extension of the franchise. .... India has done more to carry out decisions of the International Labour Conference than many other countries, including those in Europe; that does not show that she is indifferent to the worker. It is a pity that this false accusation, which the enemies of India prefer out of malice, should be believed in by Labour. There is great room for improvement, but we are progressing as rapidly as our emaciated political condition would allow, for it is absolutely true that a formidable obstacle to Indian labour coming to its own is the opposition of the bureaucracy itself. Does Col. Wedgwood know that it is the majority of the Muddiman Committee, consisting of four Europeans and one Indian, who want to deny franchise to the large sections of the population who are now unrepresented, and not the minority consisting entirely of Indians? ....."

## The Essex Hall Meeting

Under the auspices of the Indian Association, a meeting was held on the 22nd July 1925 at Essex Hall, London, to consider the situation arising out of the statement of Government policy announced by Lord Birkenhead in his speech in the Lords on the 7th July. The proceedings were interesting enough, especially when Colonel Wedgwood was engaged in a wordy controversy with Mr. T. C. Goswami, M.L.A., on the platform and some more vociferous critics in the body of the hall.

Mr. GOSWAMI was the principal speaker. His manner was mild but his speech was by no means meek. He had some nice words to say about the kindness of his reception in that country. He wanted to make it quite clear that, in spite of bitter words which might be flung about, India cherished no ill-will towards England. The object of the Swarajya Party was to see that the destinies of the world were governed by the common people of all countries. He repudiated the idea which had obtained some credence in England that the Swarajists were afraid of democracy and that they favoured the establishment of an Indian oligarchy. On the contrary, they wanted an extension of the franchise to the utmost possible limit, and even if present conditions did not allow of immediate adult suffrage, they were anxious to provide in the constitution for further extensions until full adult franchise had been reached.

Mr. Goswami confessed that he was not disappointed by Lord Birkenhead's speech in the Lords, because he expected nothing else. He was rather grateful that the noble lord had destroyed the excuse which Moderates had hitherto put forward as a reason for not joining the Swarajya Party. He was not prepared to state dogmatically what the policy of that party would be in the present circumstances, but it was the settled determination of the Indian people to achieve Swaraj, if possible within the British Empire, but if necessary outside.

Mr. Goswami went on to refer to the vigorous duel which has been carried on in the Labour Press between Colonel Wedgwood and Mr. Satyamurti, avowing of course his agreement with the latter. Mr. Goswami confessed that he only accepted the policy of non-violence on grounds of expediency. They had never yet said that they could coerce the British people into giving them Swaraj, but he made it clear that if it was possible to gain their end by physical force he was quite willing to fight for it and to die for it if need be. For the present, however, the speaker said, violence would be futile; therefore, expediency and ethics were against it.

Mr. Goswami warned to his subject as he proceeded. He apologised for belonging to what he called "a sham Legislature" and confessed that it gave him anything but pleasure to find the letters M. L. A. after his name. The Swarajya Party would nevertheless contest the elections in 1926, and he was confident that they would capture a majority of the seats in all the Councils. When they had done that, they would have no compunction whatever in shutting up all the legislatures in the country. He admitted that some little good had come out of these bodies, but they had to choose between this little good and the greater good which might be obtained through deliberate and sustained obstruction. They were all for a peaceful adjustment of interests, but if peaceful negotiations failed, they would do their worst. The Indian nation was at present very exasperated, and Englishmen would be foolish to mistake the apparent lull as a symptom of the subsidence of the Nationalist movement.

Mr. Goswami said he was grieved to find that the official section of the Labour Party had endorsed Lord Birkenhead's statement, but he was hardly surprised at it. There ought to be a good understanding between sincere Labour men in this country and Indian Nationalists, for there was a very great connection between unemployment here and the economic conditions prevailing in India, but in the presence of Colonel Wedgwood he asked, what good thing the Parliamentary Labour Party had ever done for the common people in India? What had they done for the labourers, the workers, and the peasants of India?

In some complimentary references to Mr. Saklatvala's speech in the House a fortnight ago, Mr. Goswami incidentally observed that he was not himself a Communist, because he was as much against domination by Russia as against domination by England. There were other passages in the speech which showed that he was not such an uncompromising enemy of existing institutions in India as some of those who followed him, and his references to certain trades union legislation clearly provided that something useful was to be extracted even from the present unsatisfactory constitution. He also took credit for having helped to form the Independent Party in Bengal.

#### Colonel Wedgwood's Reply.

Colonel WEDGWOOD took with alacrity, if not with any striking success, the opportunity to put his side of the case. He expressed his bitter disappointment at Mr. Goswami's speech. He was glad to hear the Swarajists were in favour of a wider franchise, and hoped they would maintain their opposition to communal representation either of the workers or anyone else. He hoped that when the Chief Whip got back to India, they would have an epoch-making pronouncement from the Swarajist party. He wanted them to declare in favour of provincial autonomy and a uniform electorate for the whole of India.

There was a vein of provocative sarcasm running through his speech, and his annoyance at the present Swarajist tendencies seemed to interfere sadly with his lucidity. But he made it quite clear that he would have no truck with a policy of obstructive non-co-operation within the Councils, and he warned the Swarajist Party in rather biting terms that they would find such a policy as ruinous and futile as the original non-co-operation of Mahatma Gandhi. Nothing, said Colonel Wedgwood, would give greater satisfaction to the Anglo-Indian bureaucracy than persistence in the tactics which Mr. Goswami had indicated in his speech. Bureaucrats would be quite content to go on ruling Bengal as they were doing now and they were at least managing to keep the peace between Mahomedans and Hindus. The Swarajists might get a majority in most of the Councils next year, but he would be much surprised if their constituents allowed them to carry out the threat to close up all round. He was confident that they would never persuade Madras to shut up the Legislature, and he was nearly as certain about the Punjab. How would closing up the Council help them in that province, where Mahomedans were against Hindus, Hindus were against Mahomedans, and Sikhs were against both? If the Swaraj party got a majority on the Punjab Council, they could put an end at once to the communal favouritism which now prevailed.

Colonel Wedgwood thought that circumstances will prevent the Swarajists from carrying out their policy of uncompromising obstruction. He expressed the opinion that in the Central Provinces, for instance, Dr. Moonje would, before long, accept ministerial office, and that the same thing would happen elsewhere. If, however, they persisted in non-co-operation, it would only mean that in 1929 the bureaucracy would take advantage of the situation, and instead of getting a step forward India would get a step backward. The Colonel warned his Indian friends that if the policy of refusing responsibility was continued, they would find themselves back in the conditions of the Morley Minto period.

There was a volley of interruptions during part of the time Col. Wedgwood was speaking, and the incoherency of some of them did not add to the clarity of his hasty improvisations. The obscurity might have been cleared a little if he had remained to answer a few questions, but as he had to be back in the House of Commons, he hurried away as soon as he had finished his speech.

#### The Labour Party Denounced.

Colonel Wedgwood was followed by Mr. CHAMAN LAL, who let himself go without restraint. Mr. Goswami had spoken more in sorrow than in anger, but Mr. Chaman Lal poured forth the vials of his wrath upon Colonel Wedgwood and other so-called friends who, he said, had betrayed the cause of India. These people had forgotten all their pledges and resolutions. The views put before them that

day on behalf of the Labour Party represented a policy of utter bankruptcy. What further confidence would they place in a gang of traitors like MacDonald, Wedgwood, and Olivier? Even their own followers were disgusted with them. Some Labour members of the House of Commons had come to him after the debate on July 9, and had told him that they entirely disapproved of the policy of the front bench.

Mr. Chaman Lal went to accuse Colonel Wedgwood and his friends of trying to hoodwink the Labour masses in this country as to the position and policy of the Swarajist Party. He denied the suggestion that that party was out of sympathy with the workers and pointed out what it had done in the interests of Indian Trades Unions. Colonel Wedgwood had twitted them with what was likely to happen when they had captured all the legislatures and put them out of the action. He (Mr. Chaman Lal) warned them that matters would not stop at that point. There would be a wave of unrest in India, followed by a crisis such as no British Government headed by even half a dozen Birkenheads would be able to withstand. They were determined to shed their own bloods, if need be, in this cause. They could no longer put their trust in such broken reeds as Ramsay MacDonald and Colonel Wedgwood. They must in future rely upon themselves.

Mr. HORNIMAN spoke to much the same effect as Mr. Chaman Lal. He described Colonel Wedgwood's speech as an insult to every self-respecting Indian. All he had put before them was a humiliating policy of "Funk," which was offensive and disgusting in its implications. He had more confidence in the people of India than to believe they would follow the advice of Colonel Wedgwood. As regards Bengal he was convinced that when non-co-operative obstruction had been carried out it would be followed by a further stage, which might be non-violent civil disobedience, or something very different from that which would bring the administration of Bengal by a foreign Government to an absolute and permanent end.

### "Madras Mail's" Slandorous Misrepresentation.

In the following article published on the 14th August the *Madras Mail*, an Anglo-Indian daily, vented its spleen against the Swarajists by misrepresenting the speeches of Messrs. Goswami and Chamanlal at the Essex Hall, London.

"In England, Mr. T. C. Goswami, Treasurer of the Swarajist Party, stated that the Swarajist Party were working towards the end of a trial of physical strength with England. When, therefore, he arrived in Madras to-day we were anxious to know something more about this hitherto concealed object of the Swarajist Party. A representative of 'The Madras Mail' to this end, called on Mr. Goswami and asked him to give more details, but Mr. Goswami had been taught to be cautious and begged the questions by saying that he wanted time to study Indian conditions before making a statement. This comes queerly from one who, less than a month ago, was proclaiming to a large audience, composed mainly of Indians, in London that the inevitable climax of Mr. Gandhi's non-co-operation policy was a mighty insurrection in India, and who listened, apparently without protest, to Mr. Chaman Lal's declaration that they 'would, in the end, stir the peasants of India into such a wave of unrest—that they would with their blood win their cause.' It is not strange that one who could speak so definitely and tacitly agree to a definite statement a little more than three weeks ago, should to-day find it necessary to study the situation in India before he makes any statement on his previous utterances? What is the obvious conclusion? Is it not that Mr. Goswami, when he addressed the Essex Hall meeting was, to put it politely, speaking without the book. He wanted, like other demagogues, to create an impression. He should remember that news travels quickly these days, and what he said in London on July 22 is common property in India to-day. To plead ignorance of Indian conditions on the top of such a definite deliverance on those conditions tends to breed incredulity regarding his future utterances.

To the average Indian, however, the importance of Mr. Goswami lies in his Essex Hall revelation of the purpose of the Swarajist Party, a revelation that comes dramatically on the eve of an election in Madras. Does the average Indian want an insurrection in India, does he want the horrors of a bloody revolution? And is he prepared to support a Party, which, under the guise of non-violence, is deliberately pursuing a course and planning policies which must lead to bloodshed, and which is hoping for strife? Men like Mr. Chaman Lal are not to be misunderstood. When they speak of the rise of the peasants they do not speak of a rise against the few Europeans in the country, but against all who believe in constitutional procedure, who prefer law and order, individualism to

communism or Bolshevism. The revolution that Mr. Chaman Lal, and presumably Mr. Goswami too, envisages is a revolution of the "sans culottes," and in that revolution Indians will be the greatest sufferers. We have often stated, and been decried for stating it, that Mr. Gandhi and the Swarajists are heading for revolution. We now have the treasurer of the Swarajist Party admitting this goal, and refusing to explain why the end has hitherto been concealed. Whether they are to reach that goal is for Indians not Europeans to decide. Apathy and indifference will not stop them. Vigorous counter-propaganda and a determination on the part of peace-loving Indians to give no manner of encouragement to the would-be insurrectionists will ....."

### Mr. Goswami's Rejoinder.

Mr. Goswami, whose attention was drawn to this article, addressed the following letter to the Editor of that paper warning the journal against indulging in such mischievous misrepresentations, the evil effects of which would recoil on its "own dear partisans" whom it sought to mislead.

"..... As regards the main point of your article, I notice your almost epigrammatic statement that "news travels quickly in these days" and that what I "said in London on July 22 is common property in India to-day." Quite accidentally I came across this morning a summary of my Essex Hall speech in a recent number of, "The Hindu," and I cannot describe it as an unfair report. If that report is "common property in India to-day", it is apparently not the property of "The Madras Mail." So far as I am concerned and so far as any one who is capable of reading between the lines is concerned—the psychological explanation of your strange article is to be found in what I regard as its key-sentence; you speak of my speech as a "revelation that comes diametrically on the eve of an election in Madras." I suppose it does; and I am sure your comment on it will be treated as very dramatic. Attempts to save a country from "the horrors of a bloody revolution" are quite familiar enterprises in electioneering. You must have heard of a new party in England calling themselves "British Fascists," who are not inappropriately referred to as "B. F.s."

"I began my Essex Hall speech, which I made at the request of the London Indian Association and in the presence, among others, of the Rt. Hon'ble Colonel Josiah Wedgwood, who took part in the discussion, by clearly stating that it was impossible for me to make any statement on behalf of the Swarajya Party, as I had no opportunity of consulting the leaders since Lord Birkenhead's statement in the House of Lords and that I could only say what I thought would be the probable course that the Swarajists would take. And I said that I expected the Swaraj Party to continue its policy of resistance, to contest the General Elections in 1926 with a view to securing majorities in all the Legislatures and to create a constitutional deadlock unless an honourable settlement was meanwhile arrived at. I did say on that occasion—as I have said frequently—that those who are in authority ought to realise that they were "exhausting the last stages of constitutional struggle in our country" and that the Swaraj Party always stood for "a peaceful adjustment of interest." The main purpose of my speech was, however, to expose the hollowness of the latest arguments of the front bench Labour Mr. P.'s that the Swarajists were afraid of democracy and that these M. P.'s were the divinely ordained trustees for the "labourers and peasants" in whose interest they had so far failed to do anything substantial. Either your informant is wrong, or the writer of your editorial has allowed himself a little more latitude in the matter of treatment of facts than is considered permissible even by your fellow Anglo-Indian journalists.

"You have further brought in the name of my friend Dewan Chaman Lal, and have dared to describe him as the enemy of not only all Englishmen but also of all who believe in the various things other than Bolshevism. It is unlikely that he will see your article; he is probably still in Europe. But I cannot let this statement pass unchallenged. It is a cowardly slander. His actions, like mine, have been in the open, in the full blaze of publicity. You may differ from our views; and you may censure our actions; but it is only gentlemanly to confine your criticism and censure to actual facts. What to me is ridiculous nonsense may have a mischievous effect not only on your political opponents, but—as frequently happens in the end—on those dear partisans whom you seek to mislead. As opponents of Swarajism, Anglo-Indian Journalism is only one of the factors—and a minor one—we have to contend against".

## The British Commonwealth Labour Conference

The British Commonwealth Labour Conference began its meetings on the 27th July 1925 in the rooms of the Empire Parliamentary Association. The Indian Delegates were Mr. M. N. Joshi and Dewan Chaman Lal. Mr. Polak and Mr. Saklatvala were permitted to attend the conference as advisers to the two Indian Delegates. The conference lasted for one week. Mr. Ramsay MacDonald opened the proceedings.

### Self-Government for India.

On the 28th July the question of the grant of self-government to the subject peoples within the Commonwealth was raised by Dewan Chamanlal who moved the following resolution :—

"The delegates at the Conference having heard the views of the Indian delegates recommend their constituent bodies to support the demand of India for the immediate grant of self-government."

The question of Indian self-government was not on the original agenda for discussion. Dewan Chamanlal insisted at a private meeting of the delegates on its being brought forward with the result that he was allowed to move the above resolution which he supported with a powerful speech.

He severely condemned the Labour Party's policy towards India and demanded the assertion of the principle of self-determination and a pledge of support to the policy of immediate self-government. He denounced the Labour Government for the Bengal Ordinance and refusal of a round table conference and said the Labour Party in future must avoid such deplorable mistakes.

Mr. Joshi made a speech in support of this resolution which, at his suggestion, was referred to a committee, which recommended the passing of a resolution as far as India was concerned, but recommended that as far as other subject peoples were concerned the subject should be discussed in the next conference after consultation with the respective labour organisations.

### Representation of Working Classes.

The next subject discussed was the position of the Commonwealth as regards the conventions and recommendations passed by the International Labour Organisation. Mr. Joshi took part in this discussion and pressed his point regarding the desirability of the representatives of the working classes in the Dependencies and Mandated Territories being invited to attend International Labour Conferences. The point was accepted by the conference.

### Equal Treatment for Indians.

Mr. Joshi opened the discussion on the position of Indians in British colonies and proposed a resolution that no disabilities of any kind should be placed upon any persons already settled in any British colony on the ground of race or colour. The resolution was referred to a committee which was disinclined to recommend the passing of any resolution on the general question, which may be raised at the next Conference. Mr. Joshi then tried to get the committee to pass a resolution recommending a Round Table Conference for the discussion of the position of Indians in South Africa, but as the South African delegate would not agree to the resolution and as the Committee was unwilling to recommend the passing of the resolution, by a majority, in a Conference the constitution of which was not fixed and without the delegates



having definite mandates, they recommended that the Secretary of the Conference should write to the Trade Union Congress in India and in South Africa to arrange a joint meeting of their representatives to discuss the position and if anything is not done before the next Conference then the Conference should discuss the question again. Mr. Joshi protested against the attitude of the Conference in refusing to take up a just attitude for fear of offending the South African delegate.

### Annual Conference of the Labour Party

The Annual Conference of the Labour Party which was holding its Session at Liverpool adopted a resolution on the 30th November 1925 recognising the right of India to self-determination and to the full privileges of Self-Government. The resolution was adopted without any debate.

Mr. George Lansbury who moved the resolution said :—"You may hold down India by bayonets and bombs, but nations struggling for freedom have often been able to overcome the most merciless tyranny and I do not believe that the British Empire can much longer hold India, as it is to-day." India is a country which had to submit to a conquest of the worst form, although it had a civilisation much older than that of Britain. He did not believe that British rule in India had benefited either the British or the Indians, although it might have benefited a certain group of men and women who lived parasitical lives.

Largely owing to our own policy the Indians were to a great extent uneducated, but one thing they did understand was that they were ruled by a Government over which they had precious little control and that they were kept down by a foreign army of occupation which required one-half of their total revenue to maintain. He did not believe that India could be held much longer under these conditions.

Mr. Fenner Brockway, who seconded, read a telegram from Allahabad on behalf of the Swaraj Party demanding full dominion status.

The following is the text of the resolution :—

#### Self-determination for India.

"The Conference recognises the right of the Indian peoples for full self-Government and self-determination. It welcomes the declarations of representative Indian leaders in favour of free and equal partnership with other members of the British Commonwealth of Nations. It expresses the opinion that the policy of the British Government should be co-operation with Indian people in this object. It declares its agreement with the conclusions of the Minority of the Reforms Committee, that the defects inherent in the Government of India Act cannot be remedied satisfactorily by amendment of the Act or the Rules thereunder. It is convinced that the Indian political situation makes it imperative that immediate steps should be taken to place the Indian Constitution on a permanent basis, and with a view to a new atmosphere of friendly discussion, that all coercive measures and repressive legislation be withdrawn. It notes the Secretary of State's declaration that the Government would most carefully examine any Constitution framed by Indians, carrying a fair measure of general agreement, but regrets that this invitation in effect, was delayed until 1929. It asks him to examine the Commonwealth of India Bill and any other proposals submitted, and to call a Conference of representatives of various Indian Parties, with a view to the immediate application of a Constitution in accordance with the wishes of the Indian people."

# The Legislative Assembly

SIMLA—20TH AUGUST 1925.

H. E. Lord Reading opened the autumn session of the Indian Legislature in an important speech lasting an hour. The galleries of the Legislative Assembly were overcrowded by visitors who had assembled since half past nine.

The Viceroy set forth before the Legislative Assembly the future policy of the Government as regards the Reforms, and stated in clear terms that no question of change could be considered before the statutory limit of 1929.

His discussions in England—said Lord Reading—confirmed his opinion. No party would yield to pressure for any premature concession. All were sympathetic towards India, but the only road to the ultimate goal was through friendly co-operation. The appointment of the Statutory Commission at this stage would only, in his opinion, result in disappointment.

Discussing the Minority and Majority Reports of the Muddiman Committee Lord Reading described the recommendations of the Minority as unpractical and declared that his Government had made up its mind to give effect to the suggestions of the Majority.

The Viceroy announced the appointment of a Royal Commission to investigate the problem of Indian Currency and Exchange.

After paying tributes of regret for the death of Mr. C. R. Das, Sir S. N. Bannerjee, K. B. Shamsuz-Zoha, Sir L. Miller and Lord Rawlinson, H. E. the Viceroy said :—

“Gentlemen of the Legislative Assembly, in pursuance of the provisions of the Government of India Act, you have been called upon for the first time to elect your President on the 22nd day of this month and it is therefore fitting for me, on this occasion, to express my own and my Government's appreciation of the services which have been rendered—not only to the Assembly, but also to the Provincial Legislative Councils throughout India,—by the first President of the Legislative Assembly. The Legislative bodies established under the Government of India Act were so different in their composition from those set up under the earlier Acts of Parliament that it was thought right to make provision for a President who should be indubitably independent of the Government, a person clear of all possible suspicion of being even unconsciously biased in favour of the Government. At the same time it was recognised that on the standard set by the first Presidents of the different Legislative bodies and, more particularly, on the standard set by the first President of the Legislative Assembly the future of the Assembly and of the Legislative bodies in the Provinces would greatly depend. It was essential that the first President of the Assembly should be a man liberally versed, not only in the written rules, but also in the unwritten tradition of the Mother of Parliaments so that in the time allotted to him by the Statute, he might establish in this Assembly, a high standard of public order, a true appreciation of the dignity and responsibilities of the Chamber and a perfect confidence in the rigid impartiality for the chair, and further that he might foster in every member of the Assembly a deep sense of regard not only for the rights, but also for the feelings of every other member of the Chamber, a sense of regard which should remain unaffected even in the extreme heat of party controversy.

Tribute to Sir Frederick Whyte.

“Gentlemen, to my great regret it has not been my privilege to attend your proceedings in person, but in addition to your printed proceedings, a daily report reaches me

of your doings. Alike from these sources and from the testimony of official and non-official members of this Assembly, and also of the distinguished visitors from many parts of the world, who have witnessed your proceedings, I am able to say with confidence that Sir Frederick Whyte has discharged, to the utmost, the very heavy responsibilities laid upon him as the first President of the Legislative Assembly, and I welcome this opportunity of tendering to him my thanks and the thanks of my Government for his very notable achievement. If I may be allowed to offer advice to his successor it is that he must maintain the tradition, which has been established for your Chamber by your first President and to this end I ask you, gentlemen of the Assembly, to give to your new President in his difficult task the generous co-operation which you have always accorded to your first President.

"I pass now to a brief review of the affairs of India. I am glad to say that our relations with the neighbouring States remain cordial and that no questions of importance are outstanding. I wish I could report an equal absence of controversial matter in regard to the position of Indians in South Africa. At the moment I should not be well-advised to say more than that my Government is watching the situation closely and is still in communication with the Government of South Africa.

#### The Cotton Mills Crisis.

"In internal affairs we have been faced recently with some industrial depression. Fortunately this has not been associated with any failure of Indian harvests and exports have been well maintained. The depression in Indian industries appears to be a phase of a world-wide movement throughout the world. Industries are experiencing the difficulties of adjusting themselves to the new post-war conditions which India could not expect to escape. India has, in fact, been fortunate that this change has not come to her so quickly or so severely as in many other countries, and owing to a succession of good harvests, there is a reserve of buying power in the country. Nevertheless the process of adjustment is difficult and the condition of several of these industries will come before you. Public attention has recently been directed to the great cotton mill industry which after a period of unexampled prosperity and expansion is now experiencing a reaction. My Government has been watching the position closely and I have consented to receive a deputation early next week from the mill-owners of Bombay and Ahmedabad. In the circumstances I will reserve any further observations.

#### Tariff Board's Reports.

"Four reports by the Tariff Boards, marked by that thoroughness which I have learned to expect from its work, have been published and the conclusions of my Government on three of them have been made public. A fifth report dealing with steel has just been received and the proposals in regard to it will be placed before you in the course of the session. You will also be asked to consider a Coal Grading Bill, framed on the recommendations of the Coal Committee, and designed to rehabilitate Indian coal in the overseas markets. My Government, while giving due attention to industries in the restricted sense of the term, are determined, so far as circumstances permit, not to neglect the interests of what is really the greatest of all Indian industries, namely, agriculture. I know from my discussions with the Secretary of State that my Government can rely upon his most cordial support of this policy. The direct responsibility of the Government of India for the agricultural development in the Provinces ceased with the inception of the Reforms. In view, however, of the paramount importance of agriculture as the basic industry of the people of India, of the improbability of Provincial Governments being in a position to undertake research on the scale required, and of the necessity for co-ordinating activities in the wide field of agricultural development, the Central Government must continue to play an important part in agricultural progress. Their present agricultural policy is mainly directed to fostering research and undertaking work which is outside the normal ambit of provincial activities by reason of its All-India character. With the improvement this year in our finances we have been able to increase very considerably our support of the work of agriculture. The Agricultural Institute at Pusa is expanding its work of research, which is the basis and condition of all progress. That work has already borne remarkable fruit. New varieties of crops (I would instance sugar-cane and wheat) the product of careful research and experiment in our laboratories and experimental farms, have added within the past few years rupees to the wealth of the agriculturist and these achievements point the way to still more wonderful possibilities.

#### Agricultural Conditions.

"Agriculture in India must in the main depend on cattle for its motive power and what is of vital importance is not an increase in the numerical strength

cattle, but an improvement in quality. This problem is being steadily attacked from more than one angle in the Cattle Breeding and Dairy Farms under the Government of India, but apart from direct activities I conceive that one of the most important functions of a Central Government in respect of a great All-India interest is to facilitate the co-ordination of provincial efforts. My Government have some time past had under consideration a proposal for the establishment of an All-India agricultural organisation, which would help towards co-ordinating the activities of the various Provincial Departments of Agriculture, promote research, agricultural education, co-operation and other established aids to agriculture, and serve as a medium for agricultural propaganda throughout the country. With the object of obtaining the views of representative and responsible authorities from all parts of the country, before a definite scheme is formulated, it has been decided to refer this proposal to the Board of Agriculture, at its next meeting, which will be held at Pusa in December of this year. It is hoped that, in addition to the regular Provincial Representatives, the Ministers of Agriculture of the various Provinces will also be able to attend.

#### Civil Justice Committee's Recommendations.

"The action taken by the Government on the report of the Civil Justice Committee, presided over by Mr. Justice Rankin, will be a matter of interest to you. I have no doubt that many of you have studied that report and recognise the wide extent of the ground it covers. Many of the recommendations can be put into effect by Local Governments, the High Courts and the presiding officers of the courts of justice throughout the country. In some cases we have decided to reduce the proposals of the Committee to the concrete form of Bills, which will come before you during this session. In others we have addressed the Local Governments and the High Courts and shall prepare Bills for your consideration after we have received their opinions. I have mentioned before the great importance which attaches the work of this Committee and the value of the reactions which must follow on improvements in the machinery for the administration of civil justice. I wish now to express my high appreciation of the Committee.

"Last January I announced that, in view of the opinion expressed in the Assembly regarding the need of an economic enquiry, my Government had decided to appoint a small Committee to report on the material which exists for holding an enquiry into the economic conditions of the people of India, the feasibility of instituting an enquiry of this character and the manner in which it could be carried out. This Committee has been at work during the last few months under the Chairmanship of Sir M. Visvesvarayya and has just completed its report, which is now in the press. It is the intention of the Government to publish the report at an early date and the Committee's recommendations will be examined without delay. I must express my appreciation of the expedition with which the Committee have dealt with this complicated subject.

#### A Royal Commission on Currency Problem

"When I addressed you last, I dwelt at some length on the difficult questions of Currency and Exchange and I announced the intention of the Government to appoint an authoritative committee to consider the subject of the Rupee Exchange as soon as the world economic factors appeared sufficiently stable to justify the formulation of a new policy. With the return of Sterling to a parity with gold there is fulfilled one of the most important conditions requisite for a fruitful re-examination of our Indian problems. The position has been considered in consultation with the Secretary of State and I am now able to announce that His Majesty the King has approved the appointment of a Royal Commission on Indian Currency. The terms of reference to the Commission will be to examine the Indian exchange and currency system and practice, to consider whether any modifications are desirable in the interests of India and to make recommendations. It will be seen that the terms of reference are wide enough to admit the consideration of all important questions of currency policy and that the membership of the Commission also ensures the adequate representation of Indian opinion. I am glad to inform you that the Right Hon. Hilton Young will act as Chairman and the following gentlemen have consented to serve as Members of the Commission:—Professor J. C. Coyajee, Sir Manekjee Dadabhy, Sir Reginald Watt, Sir Rajendra Nath Mukherji, Sir Alexander Murray, Mr. W. E. Preston, Sir Henry Strakosch, Sir Purshotomdas Thakurdas and Sir Noroot Warren. The Joint-Secretaries will be Mr. Iyer of the Indian Finance Department and Mr. Baxter of the India Office. It will be apparent that every care has been taken to obtain an independent and impartial examination of this important subject. The Commission will, it is expected, commence work next October.

## Proposal for an Indian Sandhurst.

"There is one other important enquiry to which I must refer. The Government of India recently appointed a Committee which has come to be known as the Indian Sandhurst Committee. The investigations of the Committee will embrace not only the whole subject of the best and most suitable means of training Indians to hold worthily and efficiently His Majesty's Commission, but also the question of what measures should be adopted in order to attract the best type of Indian youth, in greater numbers than are at present forthcoming, to a military career. I attach great importance to the enterprise upon which the Committee are embarking. If they are successful it may be said that they will, to the extent of their achievement, help India forward in the path of progress. The Committee is widely representative of different branches of Indian opinion and I am glad to note that in this important enquiry we shall have the assistance of the Leader of the Swarajist Party. I must express gratification that he is prepared to contribute to the elucidation of the problems involved, but I should not think of seeking to press the implication of his action further than he himself wished. His own statement of the reasons for the course he has adopted should, in my judgment, preclude any more extended inferences.

"The establishment of a Public Service Commission is being actively pursued in correspondence with the Secretary of State and I have every hope that it will shortly be possible to make an announcement detailing its function, its constitution and its personnel. I am aware that great importance is attributed to the Commission, both by the public and the members of the Public Service. I believe that it will provide an independent and impartial tribunal for the examination of the Services' grievances.

## The Sikh Settlement.

"Among other matters of importance with which my mind was naturally much preoccupied at the time of my departure for England, though even then I recognised and welcomed tendencies of a happier augury, was the situation relating to the religious endowments of the Sikh Community and the various issues connected with it. During my absence I watched the progress of events with keen and sympathetic interest. It is a matter of great gratification to me that on my return I find that the hope of an improvement in the situation has been realised or is in a fair way to be realised. During the whole course of the events and controversies which have engaged public attention—and sometimes I regret to say disturbed the public peace in the Punjab—the Government of the Punjab and my own Government have been animated by a constant and single desire to promote, by every means in our power, a stable and equitable and a friendly settlement of all the matters in issue, which shall do justice to the claims of all the interests legitimately concerned and which, in particular, shall restore the traditional relations of good understanding and mutual confidence between the Government and the Sikh community. It is my belief that those relations, glorious in war and no less renowned in peace, whatever misunderstandings have arisen and whatever unfortunate incidents have occurred, have never in truth suffered more than a partial and temporary disturbance, and I welcome every prospect of their complete renewal and consolidation.

"The immediate and tangible fruit of these changed conditions has been the enactment of a measure by the Punjab Legislative Council, on the motion of a private member belonging to the Sikh community, and in the formulation of which the Punjab Government rendered assistance, which has been warmly acknowledged, to regulate the management of the Sikh Religious Endowments. This measure has received so large, and I may say, so overwhelming a preponderance of support from the interests, directly or indirectly concerned, as to leave no doubt of its general acceptance and it has received the assent of the Governor-General. The Government of the Punjab have taken the opportunity of the passing of this measure to make a generous offer to those persons under the influence of the agitation and I trust that

ceremonial reading of the Sikh scriptures at the Government has been to interpose no obstacle there or elsewhere to the free observance of religious ceremonies that will conflict with well-established rights and liberties. I will say no more on a subject, which might revive old controversies than that I have every hope and confidence that with the conclusion of the ceremony I have referred to and the release of the persons detained in the Nabha State, we may all now unite to treat this incident as a closed chapter. A Bill will be

laid before you in the course of the present session the object of which it to validate such of the provisions of the Punjab Act as are beyond the competence of the Local Legislature and I am confident that a measure which offers so fair a prospect of a practical and equitable settlement of a momentous and complex issue, and which is supported by so weighty a body of public opinion, will receive also your ratification and endorsement.

"Much has been achieved and we may survey with legitimate satisfaction the progress recorded, rendering due acknowledgments to the sympathetic consideration and the indefatigable labours of His Excellency Sir Malcolm Hailey and the Government of the Punjab, and to the common sense, mutual forbearance and public spirit of all concerned, which have made it possible. I trust your deliberations will complete a legislative Act which will not only afford a just and satisfactory solution of the matters it expressly contemplates, but will also contribute powerfully to the union and reconciliation of diverse aims in other spheres of interest. If we persevere and redouble our efforts in the path of mutual forbearance and understanding I have every confidence that the future will crown our labours.

#### The London Conversations.

"My main purpose in requesting your attendance to-day was in order that I may address you specially upon the events connected with my visit to England. When I received the invitation from His Majesty's Government to return to England I gladly availed myself of it. I had been in India over four years and had seen several changes of Government in England during this short period. A general election in autumn had just installed a new Government in office, the fifth with which I have had the privilege of serving. It seemed to me eminently desirable in the interests of India that I should take the opportunity for the first time afforded to one holding my high office. During my stay in England I had many conferences and discussions with the Secretary of State and I also had the great advantage of representing the situation in India, as I conceived it, to the Prime Minister and also to the Cabinet. Towards the end of my visit the Secretary of State made an important pronouncement in the House of Lords upon Indian affairs. The speech undoubtedly aroused unusual interest in Parliament and the country. It was the first review by the Secretary of State of the general situation in India since he had assumed his high office, and it had been deferred until after the conclusion of the conferences with me. In addition it possessed a special attraction by reason of the forceful personality and intellectual capacity of the Secretary of State. You will have observed that His Lordship was careful to state that he was not announcing or purporting to announce decisions or conclusions. Nevertheless it cannot be doubted that as a survey of the situation it formed an important event in the history of political development in India. It was made after a careful study of the problems and after a full consideration of the views which I had presented in numerous conferences as the result of my experience in India. The speech in the House of Lords was followed almost immediately by one in the Commons. I do not know whether many of you have had the opportunity of studying the report of the debate which was of special interest to India. It showed, as it appeared to me, a growing appreciation and a sympathetic understanding of the complexities and difficulties of Indian political problems. You will have gathered from the Parliamentary reports that the general lines of the pronouncement were not seriously challenged in the British Parliament. I confess that I have therefore been somewhat disappointed, on a perusal of the reported speeches of the political leaders in India and of the articles in the public press, to find that the speech has been received in some quarters in so critical a spirit. The impression on my mind is that its importance and value to India have not been sufficiently appreciated.

#### Lord Birkenhead's Statement.

"I look upon the Secretary of State's address as a message of sympathetic encouragement to India, at least to those who are desirous of advancing to responsible Self-Government within the British Empire. It is an emphatic indication that political opinion in England stands firm upon the declarations made in 1917 and in 1919, without distinction of political parties. I shall endeavour to place before you a survey of the situation as it presents itself to me to-day. I trust I am not too optimistic in my belief that a temperate examination of the problems in an atmosphere, free from suspicion and prejudice, may lead to more earnest and sincere co-operation and good-will from Indian politicians. I cannot hope to convince all sections of those who take an interest in public affairs. But if we are to advance towards a solution of our problems we must get rid of the elements of bitterness and suspicion, which breed their evil progeny, alas, too rapidly, and try whether the spirit of goodwill may not prove a solvent for the difficulties

which have hitherto seemed to defy solution. I would ask those who may differ from me to bend their minds for a moment towards me and to weigh the observations based upon the experience of a life-time and applied to Indian affairs by one, who claims to be devoted to India and her interests.

"I came to India charged with the duty of helping to establish the Reformed Constitution and of assisting the country along the road of advance mapped out in the declaration of August 1917. The first great measure in pursuance of the new policy had been embodied in an Act of Parliament. It was unfortunate that this new system was launched at a period when the atmosphere was charged with bitterness and animosity. It is unnecessary to recapitulate the difficulties it encountered from the moment of its birth. They are still fresh in our minds. It suffices for the moment to recall that it met with determined opposition from certain sections of the community, directed at first from without the Councils and latterly also from within. Remember that this was a newly fashioned constitution, indeed a constitutional experiment without precedent, designed to meet the peculiar complexities of the situation in India. It had no doubt its imperfections, but it was the product of deep thought and the outcome of a genuine desire on the part of the British Parliament to give effect to the patriotic aspirations of the Indian political leaders and to initiate a system of self-governing institutions.

#### The Muddiman Enquiry

"Much of the criticism directed against the Constitution was clearly in the nature of a protest against the refusal to grant complete Self-Government at one step, but the ranks of the critics were also swelled by those who argued that the system did not fulfil the intentions of its authors and suffered from obvious defects which should be removed. These charges deserved examination and after three years' experience of the new constitution, my Government, with the approval of His Majesty's Government, decided that an enquiry should be made, not with a view to altering the structure, but for the purpose of determining whether any measures could be advised whereby the system might work more smoothly and efficiently. These problems were examined by the Reforms Enquiry Committee, to whose labours both my Government, and all those who are interested in the working of the Constitution, owe a debt of gratitude. I regret that the members of the Committee were unable to come to unanimous conclusions. The majority have made a series of recommendations which, taken broadly, appear to be acknowledged as suggesting improvements on the existing practice. They are fashioned with a genuine desire to improve the present machinery. I do not of course claim for them infallibility or deny that they must be examined in detail with some care. My Government are prepared to accept in substance the view of the majority that the Constitution should be maintained and amended, where necessary, in order to remove the defects in its working, on the lines recommended by them. My Government cannot, at present, commit itself to all the individual recommendations or to the form or method by which they should be carried into effect inasmuch as there has not been sufficient time for a full consideration of them with the authorities concerned, or even by me with my Council. An opportunity will be afforded to the Legislature for debating this policy, and every consideration will be given to the views presented to us before final conclusions are reached. The Minority, consisting of gentlemen whose views are entitled to receive and have received the most careful examination of myself and my Government and let me add of Lord Birkenhead, have stated that they have no objection to many of the proposals of their colleagues, but that they were unable to accept the report of the majority, because they desired to progress more rapidly and by different methods. In their opinion no substantial results will be produced by the process of amendment of the defects recommended by the Majority. Briefly the Minority ask whether the Constitution should not be put on a permanent basis with provisions for automatic progress in the future, and they are in favour of a system of Provincial Autonomy. They press for an early enquiry with a view to fulfilling these aspirations. To the subject of Provincial Autonomy I shall return after. It is sufficient to say, at this stage, that the Minority, mindful of the terms of reference, do not present it as a practical and fully considered scheme but content themselves with putting it forward as an ideal. The steps for its attainment clearly demand further investigation. In effect, therefore, the recommendations of the Minority amount to a demand for an early and authoritative enquiry, with a view to a revision of the Constitution. The issue at the moment between them and the Government of India is largely one of time for the appointment of a Commission. It has been laid down in the Government of India Act that in 1929, that is in four years from the present time, there must be a full enquiry into the Constitution, such as the Minority desire. But the Minority say that they

wish the enquiry to take place at an early date. I understand their impatience, but my Government and I after most carefully weighing their views, have reached the conclusion that the moment for an enquiry has not yet arrived. The enquiry contemplated by the Act will be a genuine and an impartial enquiry; nothing will be prejudged. It will proceed upon the facts for the situation as ascertained upon the evidence produced before the tribunal and here I must remind you of the words of the preamble to the Government of India Act, which have already been quoted by the Secretary of State: "Whereas the action of Parliament in such matters must be guided by the co-operation received from those on whom the new opportunities of service are conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility." If these are to be the principles to guide the Commission to its judgment I cannot think, as a friend of India, that it should commence its enquiries immediately.

"If the judgment of the British Parliament were to be pronounced upon the present evidence, I fear that it could but result in disappointment. I have not abandoned hope that as the days proceed evidence of a spirit of co-operation may yet be forthcoming from that large section of political opinion, which has hitherto stood aloof and that it may be manifested that the political attitude of those who have hitherto declined to shoulder any responsibility may undergo a change.

"I know that there is a school of thought in India which preaches incessantly that nothing is to be won from England save by force or threats. Believe me, that is a profound mistake and if persisted in, cannot, but embitter the relations of the two countries. The Reforms took their origin in England in a spirit of goodwill, not of fear and of optimism, nor of opportunism. The history of the last few years has damped the hopes and dimmed the expectations of many of those in England who wish India well, but those hopes can be rekindled, those expectations can be recreated if India shows the hand of friendship, instead of menace.

#### Question of Re-Examination of the Constitution.

"While I am sure that the present would be a most inappropriate moment to hold the Statutory Enquiry, I wish to re-emphasise what was made abundantly plain by the Secretary of State in his speech, that there is no special sanctity attaching to the year 1929. The re-examination of the constitution may take place at any time not later than 1929, when the British Government are persuaded that there has been a genuine co-operation of responsible Indian political leaders in working the existing Constitution and when a sufficient experience of these new, and still largely untried, conditions has been gathered to form the basis of a considered judgment and to enable proposals for the future, to be made with some confidence. Is it not worth while to make a real attempt to wipe out past controversies and to unite in an effort to test the system at present established? In the Secretary of State's words, "we desire and request goodwill, nor shall we be niggardly bargainers if we meet with that generous friendship, which is near and dear to our hearts." The desire to help India along the road indicated remains unchanged. I had opportunities of discussing with many leaders of political thought in England, of varied political views. Throughout I was impressed on the one hand by the sympathetic goodwill manifested towards India and Indians generally, and on the other by the determination not to be hurried by threats into premature concessions. I have long been confident that it is through friendly co-operation alone that India will advance to the ultimate goal desired. The events of the recent years and my visit to England have served to confirm this view. I most earnestly commend it as a policy to the Legislature and to the country. I believe that the present moment is specially favourable for a combined effort to work the constitution. Since the Committee reported two new factors have supervened, which should be an encouragement, and are well worthy of your consideration.

#### Remission of provincial contributions

"Among the many handicaps under which the new system has suffered none perhaps was greater than the financial stringency which dogged its early years. In administration a policy without resources is barren. Too often the Ministers found that from lack of money they could not give effect to their ideas in the field or government transferred to their charge. Hampered by financial difficulties they were exposed to the criticism of having achieved nothing. Fortunately the period of financial stringency, the legacy of the War, seems to be passing away. This year my Government has been able to make a notable beginning in the remission of Provincial Contributions and thereby to place at the disposal of the various provinces, additional resources, a large part of which, it may be hoped will be available for the amelioration of social conditions and for



nation-building activities, in short for those branches of the administration which have been transferred to popular control. I trust that these new resources will strengthen the position of Ministers.

#### Reorganisation of the Services

"There is one other change of importance which I must not omit to mention. I must confess that I have been surprised to find that so little public attention has been directed to one of the proposals of the Lee Commission, the practical effect of which will soon begin to make itself felt. It had been one of the complaints of Ministers that the organisation of their superior services through which their departments were administered, lay not in their hands, but in those of the Secretary of State. It was the latter who recruited them and who determined their rates of pay and their numbers. We are now to take steps to give effect in this respect to the principle laid down by the Joint Select Committee of Parliament, that ministers should have the fullest opportunity of managing that field of Government which was entrusted to their care. Recruitment by the Secretary of State for the Indian Educational Service, the Indian Agricultural Service, the Veterinary Service, the Buildings and Roads Branch of the Indian Service of Engineers, and, in Bombay and Burma, for the Indian Forest Service, has ceased. In these important branches of the administration the Ministers will be authorised to start building up, by new recruitment, their own provincial services, subject only to such restrictions as experience shows to be necessary for safeguarding the integrity, the independence, and the efficiency, of the public services.

"The problem presented by the Indian Medical Service is more difficult, but here too the principle of establishing Provincial Medical Services has been accepted subject to certain conditions which are still under consideration. The combined effect of these changes will become increasingly apparent every year and I am sure that what seems to me at present to be an inadequate appreciation of their importance will rapidly disappear.

"I cannot pass from these observations on to the future of the services without placing on record my high appreciation of the loyal assistance which has been rendered by the members of the Services, and will, I am convinced, continue to be rendered in the working of the new constitution. Without their help the difficulties, already serious enough, would have been stupendous, if not insuperable. For the reasons indicated above I believe that the system of Dyarchy will be found to work in future more efficiently and smoothly and Ministers will in these respects no longer have grounds for complaint that the power and responsibility entrusted to them are impaired by other influences. In any event I have no doubt it is too early yet to pronounce a final verdict as to Dyarchy's failure or success. On a careful survey of the whole situation and a study of the report of the Local Governments I have come to the conclusion that Dyarchy, whatever its deficiencies may be, has so far proved more successful in its operations than some of its friends and most of its critics could have expected. We shall be in a far better position in a comparatively short time to form a final judgment if the system is worked in the future with general good-will and co-operation.

#### Eastern and Western Ideals.

"In a notable passage in his speech, Lord Birkenhead disclaimed on behalf of the British Parliament any monopoly in the art of framing constitutions and he invited Indians to contribute if they could do so, their own solution. He invited them, to quote his words "to produce a constitution which carries behind it a fair measure of general agreement among the great people of India." He gave the assurance that such a contribution to solve the problem would be most carefully examined by the Government of India, by himself and by the Commission, whenever that body may be assembled. The time which may elapse before a re-examination of the Constitutions whenever that may happen, could not be better occupied by public men in India than by devoting serious practical thought to these problems. If the British people, working on their own experience, have set up institutions in India, based on Western models, the aspirations of India politicians, towards the establishment of Responsible Self-Government within Empire as the ultimate goal. Responsible Self-Government, based on the Parliamentary institution, is the product of Western thought and experience. It is often contended that we are seeking to arrive at the final destination by imposing ideas on India, which are alien to its genius. We are not wedded to our own methods of attaining our object. Whatever may be proposed will be the subject of the most careful examination by the Government of India and eventually by the Commission, before it is submitted to the British Parliament. The Commission should know whether there is any general consensus

of opinion among the various classes and communities of India as to the direction in which the development of Self-Government within the Empire should be sought. Should we persevere in our proposed course or is there an alternative line of advance which would be more in accordance with Indian ideas and would receive the support of the numerous interests concerned? If any alternative methods are to be suggested, much hard thinking is required. Constitutional problems are not solved by a phrase. Account must be taken of the unparalleled complexities, and the diversities of race, the diversities of religion, the striking diversities of intellectual development and a social organisation which separates classes with a rigidity unknown in any other great country. It must be kept steadily in mind that it is the primary duty of the Government to provide security against external aggression and to preserve peace and order within its territories and, in India, it is imperative that adequate means should be devised for the protection of minorities. No greater problem in Self-Government has ever been set before a people. No problem has ever more assuredly required accurate and practical thinking.

#### Demand for Provincial Autonomy.

"There are many in India at the present moment who hold that the solution lies in Provincial Autonomy. The principle that local affairs should be administered by Local Governments is one that commands general acceptance, but if we are to avoid disintegration, a danger that the history of India constantly emphasises, there must in my judgment, be a strong Central Government capable of exercising a legitimate degree of supervision and control. The relations of such a Government to a number of so-called autonomous provincial Governments have not yet been thought out. It can scarcely be contemplated even by the most ardent friends of Provincial Autonomy that there should be nine or more and, as some contend many more, separate and independent Provincial Governments, entirely free in all directions from supervision and control. Before any scheme of Provincial Autonomy could be established, the functions that should be entrusted to them and the degree of supervision and control to be exercised over them must be explored with the patience. There is an unlimited field of work waiting for those who, like the minority of the Reforms Enquiry Committee, believe that the present Constitution must be radically amended. Meantime, a close contact with the practical working of the present machine will provide a useful corrective against too great an obsession with theory, which history shows to be a danger ever lurking in wait for the drafter of Constitutions.

"Before I close I would draw attention to an attitude not uncommon among politicians, that the programme and conditions of advance laid down in the preamble of the Government of India Act are a humiliation to Indians and that the prescription of successive stages and the testing of each stage by result is a reflection on the capacity of Indians. Be it remembered that we are engaged on a problem new to India and new also to the British Parliament. I think the nature of the problem as it presents itself to the British people, is not fully appreciated by those who express themselves as humiliated. They assume that the path to Self-Government lies along a broad metalled road and that, if they could only be freed from the impediments and restrictions imposed by the present form of Government, they could run safely, rapidly, and directly, to their goal. To my mind the problem presents itself under a different figure. I think rather of a man picking his way through unexplored regions, towards his destination, which glimmers faint, but clear in the distance. He halts on firm ground and seeks the next spot to which he can safely entrust himself. A rash step may engulf him or delay his progress indefinitely. His advance may not be rapid, but it is well and surely planned. As he advances, experience teaches him to distinguish more certainly and quickly the firm ground from the treacherous surface and so he wins to his ultimate goal.

#### Conclusion

"Gentlemen, if I may strike a personal note the close of my period of office is rapidly approaching and my future opportunities of addressing you, the Members of the Indian Legislature, must necessarily be few. I have spoken to you to-day from the conviction of my heart and I trust, without rousing a tinge of bitterness or animosity. I have expressed to you the thoughts of one, who whatever mistakes or errors he may have committed, has a warm affection for India and a deep devotion to her interests. For these reasons I have been desirous of carrying you with me along the only avenue which, in my judgment, can lead to the promised land, to the proud heights of India's destination. It is my earnest prayer that India, with the co-operation of all of us, of every race, community and interest, that wish her well, may avoid the pitfalls that beset her path and win through to the goal to which her face is set."

SIMLA—22ND AUGUST 1925.

## Mr. Patel Elected President

The first meeting of the Autumn Session of the Legislative Assembly took place on the 22nd August when Mr. V. J. Patel (Swarajist) was elected President with 58 votes, defeating Mr. Rangachariar by two votes.

At the outset Pt. Nehru referred in very feeling terms to the death of Mr. C. R. Das and Sir S. N. Bannerjee. He was followed Sir S. Iyer, Sir A. Muddiman, Sir F. Whyte, Sir D. Lindsay and Mr. Jinnah, all of whom associated with Pt. Nehru in condoling the death of Bengal's two foremost patriots.

The President then asked the house to elect a President. Voting commenced at 11-30, and at 12 o'clock the President declared Mr. V. J. Patel (Swarajist) as duly elected President of the Assembly to 58 votes to 56. There were three spoiled voting papers. The President said he would forward the name of the elected President to the Viceroy, in whose hand approval lay. The announcement was received with loud Swarajist cheers.

On the 24TH AUGUST Sir Frederick WHYTE opened the proceedings by reading a message from the Viceroy approving of Mr. Patel's election as President. Sir Frederick then addressed a few felicitous words of welcome to his successor, who, attired in khaddar and surmounted by a Gandhi cap occupied a seat on the floor of the Chamber.

Mr. PATEL made an acknowledgment in the same spirit voicing his grateful appreciation of Sir Frederick's work in the chair. Sir Alexander Muddiman followed with a speech on behalf of the Government members, in which he declared that this was indeed a historic occasion, since, for the first time, the Assembly had elected its own President and, amid cheers, he affirmed that their retiring President could put off his armour with the knowledge of duty well and nobly performed.

Pandit Motilal NEHRU entirely associated himself with the words of the two previous speakers and wished Sir Frederick Whyte godspeed in the way of the Swarajists.

Mr. JINNAH, in his turn, testified to Sir Frederick's courtesy and impartiality. His conduct of affairs, Mr. Jinnah asserted, would have done credit to the Parliament of any nation.

Sir D'arcy LINDSAY, on behalf of the non-official Europeans, said that through their retiring President's unfailing tact members, who at the beginning were suspicious of each other, had come to understand each other's views, and in this way many lasting friendships had been formed.

Sir Frederick WHYTE, who was obviously touched by the genuine demonstrations of appreciation that had been manifested, said he had received many kindness but the climax of generosity was found in the speeches just delivered by the leaders of all the parties in the Assembly. Interesting references to difficulties encountered and co-operation received followed, and then Sir Frederick invited the members to shake hands with him as President for the last time.

Meanwhile, Mr. Patel had withdrawn. But after a brief interval he returned in the full wig and robes of his office, and to the accompaniment of general applause he took the chair which his predecessor had vacated.

Sir ALEXANDER rose and heartily welcomed the newcomer on behalf of the Government benches. They were confident he would discharge his responsibilities well and he trusted the cordial relations which had existed between them and his predecessor would mark Mr. Patel's tenure of office. The full and loyal support of the Government benches for the Chair would always be forthcoming.

Pandit Motilal Nehru and Mr. Jinnah joined in the welcome, as also did Mr. Rangachariar and Sir Henry Stanyon. Sir Henry speaking on behalf of the non-official Europeans, delivered a little homily to the President, intimating that his political views, if not dead, had gone into hibernation, and that he was now the bond-slave of the conventions which surrounded the Chair.

Mr. PATEL listened gravely, and when the oratory had ceased, rose and delivered, with dignified mien the most remarkable speech of his career. "I have accepted this office with my eyes open, he said, "and I fully realise the implications attaching to it." He had given the question anxious thought, and he had come to the conclusion that he could serve India better by accepting the position. Swarajists had been described as destructive critics; it was their duty to show that they also knew how to construct. The Viceroy had pleaded for co-operation. His predecessor in the Chair had pleaded for co-operation. "And I also plead for co-operation," said Mr. Patel. He particularly appealed to the official members, and he was ready in the fullest sense of the term to extend co-operation to them. The Assembly listened with almost unprecedented attention. They were seeing a marvellous metamorphosis under their very eyes. Mr. Patel, the non-co-operator, developing into Mr. Patel, the stern Constitutionalist and co-operator with the Bureaucracy.

The new President's renunciation was no half-hearted affair. From that moment, he declared, he had ceased to be a party man. He belonged to no party; he belonged to all parties. Amid vociferous applause, he asked his friend, Pandit Motilal Nehru, to pass a resolution absolving him from all the obligations of a Swarajist. As for the rumours regarding his relations with the Viceroy, Mr. Patel brushed them aside. If the duties of his office required it, he would call on His Excellency ten times a day. After the conclusion of this remarkable speech the members shook hands with their new President.

On the 25TH AUGUST the Assembly held its first business meeting. About a dozen new Bills were introduced, including three based on the Civil Justice Committee's recommendations and two on the unanimous proposals of the Muddiman Committee, regarding penalising malpractices in Legislative bodies, and granting certain exemptions to members. Other Bills introduced related to insurance companies; centralisation of salt; naturalisation in British India; amendment of the Presidency and Provincial Insolvency Acts and the Religious Endowments Act, and of Sections 102 and 103 of Civil Procedure Code, as recommended by the Ranken Committee; the Age of Consent Bill, raising the age to 13 and 14 years in the case of married and unmarried girls, respectively, and a Bill amending the Limitation Act.

A Bill was introduced by Sir Charles Innes for the grading of coal and for the grant of certificates for coal intended for export, as recommended by the Noyce Committee, to enable the coal trade to rehabilitate itself in

overseas markets. The Bill was referred to a Select Committee, after Sir Charles Innes had explained that its principle, namely, the establishment of a COAL GRADING BOARD, was acceptable to the Indian Mining Association and the Mining Federation, and that the latter body had already sent in amendments to the Bill, which the Select Committee would consider. He hoped the Bill would be passed this session. A joint committee was also agreed to on the Bill relating to the CARRIAGE OF GOODS by sea.

#### Members of Currency Commission Attacked

Mr. JINNAH, while moving the adjournment of the Assembly to direct attention to the composition of the Commission, asserted that the Government had failed to implement their pledge that the investigating body should have adequate and effective representation of Indian interests. Mr. Jinnah used no arguments. He repeated again and again that he had no desire to make personal attacks, yet he read to the Assembly uncompromising newspaper comments on one of the Indian members. His complaint was that the Commission represented one school of thought; he maintained that the interests of India and England were in direct conflict in this matter; and he challenged the Finance Member to say whether it was not India's interests that were being sacrificed.

Mr. Jambadas MEHTA, said that the six Europeans on the Commission, were not even known in India, and those of the members that were known, India did not accept. The Indians appointed would not be able to secure election, even to a municipal body. Mr. Ranga IYER voiced intemperate tones: "Our duty is to boycott the Commission: to treat them as untouchables."

Sir Basil BLACKETT delivered a serious protest against the attacks that had been made. It was deplorable that because Government appointed ten men to carry out an important task, vilification of some of them was resorted to immediately. And he put it to the Assembly that a very bad impression was created when the inevitable effect of the appointment of Indians with knowledge of the subject at issue to conduct an enquiry was that they were assailed and their qualifications belittled. The Finance Member strongly affirmed that in the appointment of the Committee the interest of India as a whole had been the only consideration. It had been sought to secure impartial men of wide knowledge, accustomed to weigh evidence, who would listen to the views of all the diverse interests concerned and frame their recommendations accordingly. They would not start with pre-conceived judgments and minds already made up.

Pandit Madan Mohan MALAVIYA suggested that three new Indian members, possessing "the confidence of the Indian public," should be added to the Commission. Pandit Motilal NEHRU said that on looking into the antecedents of the members of the Commission it became evident that they had been chosen because they differed from Indian opinion. Sir Alexander MUDDIMAN in a few weighty sentences asked the Assembly to bear in mind the fact that men of great reputation and standing would not serve on Commissions relating to India if they were to be charged with a lack of impartiality, of having made up their minds beforehand. It would require the service of the very best minds the world could provide. Eventually when the vote was taken it was found that Mr. Jinnah's motion had been carried by a large majority, the figures being 64 to 45.

## Registration Act Amendment

On the 26TH AUGUST the Assembly sat till late in the afternoon. Mr. Rangachariar's permissive Bill amending the Registration Act to delegate to sub-registrars power to hold enquiry into execution, etc., was referred to Select Committee by 47 votes to 43.

The Government did not oppose the motion but a number of non-officials, including Sir Henry Stanyon and Pandit Motilal Nehru did, while some other non-officials supported it. Pandit Motilal Nehru said that it was not possible to make much progress that day and suggested that another day might be allotted for the business left over.

The Home Member said it was not in his power to assign a day but he was quite agreeable to non-official business being discussed the next day after the official business was over. The President said it was not desirable that non-official business should be taken on an official day, but if the House desired it he would be agreeable.

## Maternity Benefits Bill.

Mr. N. M. JOSHI moved the appointment of a select committee on his Maternity Benefits Bill. He said the Bill was circulated last session, and opinions upon it had been received. The principle underlying the Bill was that there should be prohibition of employment for a certain period during confinement, and for that period maternity benefits should be provided. The question of how much the benefit should amount to and how it should be provided were matters of detail which could be examined in the select committee. The Bill was opposed by the Burma and Punjab Government but neither of those governments were greatly affected by the maternity benefit problem. The Governments of the Central Provinces, United Provinces and Madras approved of the principle of the Bill. The Assam Government favoured the principle, but opposed the Bill on the curious ground that the present maternity benefits granted in the Assam tea gardens were more generous than those laid down in the Bill, and that the enactment of the bill might make the employers in Assam less generous.

Continuing, Mr. Joshi said he was surprised that some I. C. S. officers had opposed the Bill, forgetting that they were entitled to a free passage both ways for their families. As regarded the Bombay Government, they could not expect anything better than opposition from a Government containing two of the biggest Indian capitalist European Members who looked after the interests of European employers and a Conservative Governor. The Bombay Council had passed a resolution favouring the principle of the Bill. As regarded the details of the Bill, he would leave it to the Committee to decide whether maternity benefits be granted by employers or by contributions from the Government, and whether it should be applied to all industries or only to some.

Sir Sivaswamy IYER supported the motion, which he described as a humanitarian piece of legislation. The Bill, however, contained many defects of substance. He warned the House against the consequences of hasty and ill-considered legislation, such as might result in the non-employment of women labour.

Mr COSGRAVE said, so far as Assam was concerned, the measure was unnecessary and undesirable. Of the 5,00,000 women who would benefit

by the Bill, half the number were employed in the tea gardens. While Mr. Joshi had based some of the clauses of his Bill on the Convention of the International Labour Conference he had proceeded to evolve his own scheme, putting on the employers alone the burden of raising the maternity benefit fund. (Mr. Joshi : "No"). The Convention had, on the other hand, suggested either an insurance scheme or a contribution from public funds to the maternity benefit. Even Great Britain had not yet ratified the Convention.

Mr. Joshi : Do you mean to tell me that there are no maternity benefits in England?

Mr. Cosgrave : There are, but both employers and women contributed to it, half and half.

Sir B. N. MITRA opposed the Bill for practical reasons. He felt that Mr. Joshi had misinterpreted the general sympathy for the object of the Bill as definite support. In India education, sanitation and other nation-building objects had to be financed, and as public funds became available, they should be utilised, giving precedence to the more important work. The majority of the Provincial Governments, particularly Bengal and Bombay, were opposed to the Bill. The latter Governments pointed out that in the cotton mills women already absented themselves, generally for six weeks. Practically all the Provincial Governments had found practical difficulties in working the Bill, difficulties regarding management, disbursement and assessment. Mr. Joshi was a theorist. He had not examined the position to find out the necessity or practicability of the measure, but had brought forward a Bill simply because in some advanced countries they had such a measure. India was foremost among the countries who had rectified the majority of Washington conventions. In European countries he admitted there were maternity benefit schemes, but the Dominions had not generally have such systems. As regarded Japan, the less said the better. When Japan wanted to pursue a matter, no sentiment stood in her way. The evil proposed to be met by Mr. Joshi did not exist in India to any appreciable extent and the best way to meet it would be to foster the growth of a voluntary association for the provision of maternity benefits or better still, maternity insurance should be started to which employers, employees and the State should all contribute. Let trade unions be started and when sufficient data was available, action, if necessary, could be taken on the question of maternity benefits. The present Bill was both unnecessary and undesirable.

After Mr. Chalmers had spoken the Assembly adjourned till the next day.  
Contempt of Courts Bill.

On the 27TH AUGUST the most remarkable feature of the proceedings of the Assembly was the support accorded to Government in the division lobby by Swarajists after several members of the party had delivered violent and impassioned speeches against a motion of the Home Member. After interpellations, Sir Alexander MUDDIMAN introduced several Bills of comparatively minor importance without any difficulty. These were the Criminal Procedure Code Amendment Bill, the Legal Practitioners' Act Amendment and the Gurdwaras Act Supplement Bills. When he moved that the Bill relating to the punishment of contempt of courts be referred to a Select Committee the atmosphere of the Chamber underwent a change. The Bill, Sir Alexander explained, proposed to define and amend the law in regard to contempt. It

resolved any doubt that might exist as to the powers of the High Courts in regard to the protection of their subordinate courts and showed that the courts of the Judicial Commissioners had the like power of punishing contempts committed against them, or the courts below them. Further, it restricted the punishment which the courts might award for contempt to six months' imprisonment with a fine. The Home Member emphasised that, under the Bill, High Courts in India would be ensured only the same powers in this matter as were enjoyed by High Courts in England. Mr. Rangaswami IYENGAR attacked the Bill root and branch. It was objectionable. It legislated on a matter that was obsolete, it was repugnant to all. The Assembly should throw it out. The liberties of the people were in peril; if the Bill is passed then the right of Indians in freedom would be gone. Mr. ASHWORTH contended that the Bill was necessary to put an end to abuses that were too frequent. These abuses would increase as the jury system was extended, and it was absurd to say a juror would not be influenced by what he read in the newspaper. So far from being obsolete the law relating to contempt was in active operation in England, and he cited a recent notorious case where the conductors of two papers were fined in very large amounts. Mr. CHETTY and Mr. KELKAR, editor of the "Mahratta," strongly opposed the motion. Sir Henry STANYON protested weightily that it was the public duty to maintain the authority of the courts in every reasonable way. There was no doubt, he declared, that if the Bill were passed the High Courts would exercise their powers under it with a full sense of responsibility. Mr. ABHYANKAR shouted, "Let us have courts first before we talk about contempt of them." The judicial officers in India were under the control of Government and here was another attempt of the bureaucracy to curtail the liberties of the people. Sir Sivaswamy AIYER, while not supporting the details of the Bill, considered it should be sent to a committee for examination. Sir Chimanlal SETALVAD asserted that the measure was badly drafted and thought that it would have been sufficient if it had merely given power to the High Courts to deal with contempt against subordinate courts and provided that the Judicial Commissioners should have the same authority.

Pandit Motilal NEHRU, the Swarajist leader, however, struck a different note. He agreed in the main with Sir Chimanlal and intimated that if the Government were prepared to modify the Bill on the lines suggested, and to withdraw the clause which defined contempt, he would be willing to urge the Assembly to agree to refer the measure to a Select Committee.

Sir Alexander MUDDIMAN at once welcomed this attitude. He had explained that he was merely desirous of carrying out the principles embodied in the Bill, and he had no wish whatever to define contempt of court. But he pointed out that if he had put forward a Bill without a definition there would have been great criticism in the Assembly of the vagueness of his proposal. Sir Alexander gravely reproved the members who had been prominent in casting aspersions on the magistracy. They had, he said, done a grave injustice to a large body of their fellow-countrymen who were performing their duties honestly and justly.

On a division being called the Home Member's motion was carried amid applause by 82 votes to 8.



After the Contempt of Courts Bill had been referred to a Select Committee the House took up Mr. Joshi's Maternity Benefits Bill, the discussion of which did not conclude the day before.

The motion to refer Mr. Joshi's Bill to a Select Committee was put to the vote and lost by 51 votes to 47.

Sir Hari Singh GOUR then moved that the Bill to amend the Special Marriage Act, 1872, be referred to a Select Committee. The object of the Bill, he explained, was to remove the anomaly in the existing law which prevented marriages taking place between the ages of 18 and 21. The motion was lost without a division.

Sir Hari Singh's next motion that his Bill to declare the rights of Hindus to make settlements of property by way of trust in favour of their families, children and descendants be circulated for opinion, was also lost.

On the 31ST AUGUST the Assembly disposed of official legislative business, which included motions for the introduction of Bills amending the Opium Act and the Provident Fund Act and the second and final reading of three Bills introduced on the 25th August, namely the Naturalization Bill the Limitation Bill and amending Section 60 of the Civil Procedure Code.

The House also passed the Home Member's Bill amending Section 60 of Civil Procedure giving certain concessions to co-operative societies.

Mr. Tonkinson introduced a Bill amending the Provident Fund Act to make some formal changes necessary to administrative convenience.

Sir Basil Blackett introduced a Bill centralizing the control of the cultivation of the poppy and the manufacture of opium in the Government of India. The Department is at present administered through the agency of the Local Governments.

#### The Naturalisation Bill.

Sir Alexander then moved for consideration of the Naturalization Bill.

Mr. Doraiswamy IYENGAR moved that the Bill be sent to Select Committee for examination. He held that it should be so amended as to prevent a certificate of naturalization from being granted to South Africans and others who were not treating Indians justly.

Mr. ANEY took strong exception to the Bill and supported the motion for a Select Committee. He said the Bill depended upon the definition of "British subject" as given in the British Act. This definition was extremely difficult to understand. On the one hand it differentiated Indians from other British subjects and on the other, under it Indians in Indian States were not British subjects. Though the present Bill excluded American and Europeans, it did not really affect them, as they, if naturalised under the British Act, could also be naturalised in India. Moreover, the Bill did not even afford special favoured treatment to Indians in Indian States.

Mr. Ramchandra RAO drew pointed attention to a ruling of an American Court which had deprived Indians in California of their naturalisation rights. Any American or European who obtained a naturalisation certificate in England was automatically naturalised in India. The position must be safeguarded by an Act passed in India, subjecting Americans to the same difficulties as Indians were subjected to in America. He doubted, however, whether a Select Committee could find a solution.

Sir Alexander MUDDIMAN felt that when he brought forward the Bill he never knew it would raise a storm of this kind. Section 26 of the

British Act authorised this Legislature to enact a law on the subject. It was in exercise of that power that this Bill excluded Americans and Europeans, thereby meeting the point of view of Mr. Rao. He admitted that under the British Act Americans and Europeans could obtain naturalisation certificates. The issue raised by other speakers was different from the purpose of his Bill. It was brought forward merely to give a limited form of naturalisation to traders and a few other people who could not be naturalised under the British Act, because they did not know the English language or other language recognised on an equal footing. As to whether an American should be naturalised or not was a different matter and this Legislature had no power to modify an Act of Parliament.

The Bill had been under discussion since 1923. The Local Governments had been consulted and there had been correspondence with the Home Government on some aspects of the case. It was no use sending the Bill again to Select Committee as it had already been to Select Committee. He made it clear that he did not attach very great importance to the Bill. There was the existing law in force: only it was somewhat out of date, and the present Bill proposed some administrative improvement and to extend the limited form of naturalisation to some traders. He opposed its reference to Select Committee as the amendments proposed by the members could not be made in this Bill.

The Assembly then divided and referred the Bill to Select Committee by 59 votes to 42 votes.

Mr. Tonkinson then asked the House to take into consideration the Indian Limitation Act (Amendment) Bill.

Mr. Rama Iyengar and Mr. Rangachariar referred to a doubt which one of the clauses of the bill was open to. Consequently, on the motion of Mr. Rangachariar, the Bill was referred to a Select Committee.

After some discussion the Bill amending the Religious Endowments Act, on the lines of the Ranken Committee's suggestion was passed without any amendment.

On the 1ST SEPTEMBER the Assembly had innumerable interpellations devoted largely to amenities at remote railway stations, grievances of Government servants, the merits of one State employee and the demerits of another. After this the Home Member without difficulty secured the passage of the Bill which confers certain exemptions on members of the Indian Legislatures during the actual sessions and for fourteen days before and after. Thus, when the Bill becomes law members of these bodies will be exempt from jury service and also from arrest and detention in prison under civil process.

#### Sikh Gurdwaras Act.

The next measure brought forward by Sir Alexander MUDDIMAN gave rise to an animated discussion. This was the Bill to supplement certain provisions of the Sikh Gurdwaras Act passed with unanimity by the Punjab Legislative Council. The measure was a simple one, its object being merely to validate the provisions of the Punjab Bill in so far as they related to the High Court at Lahore. Mr. Ujagar Singh BEDI congratulated both the Sikhs and Sir Malcolm Hailey on the settlement of the Sikh question. In the course of a long oration Pandit Madan Mohan MALAVIYA called for the release of the Sikh prisoners, whose prison doors are open to them whenever they are prepared to undertake to obey the law accepted

by their co-religionists in the Punjab Council and passed with the warm support of the two other great communities in the Province. No self-respecting Sikh, the Pandit affirmed, could give such an undertaking. He knew the men, and none would purchase his release by accepting these humiliating conditions. Continuing the Pandit extolled the services of the Sikhs to the Empire and quoted in support copious extracts from Sir Michael O'Dwyer. Mr. JINNAH contended that it was not to the interest of Government that they should insist on the conditions which Sir Malcolm Hailey had laid down. Mr. Ranga IYER told the Government that he asked for no favour for the Sikh prisoners; he demanded a right. The HOME MEMBER interposed in the debate, and pointed out that the discussion had strayed from the real issue raised in the Bill. In the speech just delivered Mr. Iyer had charged the Government with lack of imagination. Sir Alexander declared that he could not make any such charge against Mr. Iyer. And as for his remark on melancholy meanness, nothing could be less appropriate when the fine work and statesmanship shown by Sir Malcolm Hailey were remembered. The Home Member reminded the Assembly that when the terms were first announced by the Governor of the Punjab they were welcomed by the Press throughout India as fair and generous. Now, they had become "humiliating." What was there humiliating in saying you would not break the law? Finally, Sir Alexander observed that the appeal that had been made that day was a moving one and the able head of the Punjab Government would no doubt regard it in a sympathetic spirit.

The Bill was then passed amid general cheering.

#### Care of the Girl Wife

The Assembly next agreed to the Bill to amend the Presidency Towns Insolvency Act and the Bill to amend the Legal Practitioners Act be circulated for the purpose of eliciting opinions in regard to their provisions. The latter Bill was designed to curb the activities of that particularly objectionable type of humanity, the lawyer's tout. Another measure, the Bill to amend the Code of Civil Procedure, was referred to a Select Committee. A Bill of great importance to Indian women and children was then introduced by Sir Alexander MUDDIMAN. This was the measure to amend the Penal Code by raising the age of consent from 12 to 13 in the case of a wife and to 14 in the case of a girl outside the marital relationship. The Home Member explained that he was the stepfather of the Bill; the credit for the measure must go to Sir Hari Singh Gour. The natural impulse of every Englishman, Sir Alexander affirmed, was towards progress, but as Home Member he must hold the balance, and the Bill went as far as was justified by the opinions of the Local Governments.

Mr. M. K. ACHARYA objected to penal legislation for social reform and denounced the authors of the Bill as busy bodies. Mr. CHETTY accused the Government of being slow in social reform. 'If the state of the law of a country, he said bitterly, was the index to a country's civilisation, then the position of the law in this matter was slur upon the civilisation of India.

After a long debate Sir Hari Singh GOUR, whose interest in the subject was intense, moved that the age be raised to 15 and strongly characterised a state of affairs which caused misery and death to helpless Indian women and children. But his amendment was rejected by 63 votes to 42.

Mr Rama AIYANGAR while moving a reduction of the age to 12, asked the Government seriously to consider what they were doing. Let members make an election cry of this and the electors would see that they were selling the rights and privileges of the people of this country. They were wrecking the structure of Hindu society.

The amendment proposing to reduce the age to 12 was rejected without a division and ultimately the debate was adjourned.

#### Transfer of Sylhet and Cachar.

On the 2ND SEPTEMBER, after interpellations, Mr. ANEY proposed to recommend that early steps should be taken to re-transfer Sylhet and Cachar to Bengal.

The HOME MEMBER said that the Government of India were still in correspondence with the Local Government on the subject and therefore Sir Alexander Muddiman suggested it would be more convenient to have the discussion next session. This suggestion was adopted.

#### Prohibition for India.

Mr. Mahomed YAKUB resumed the debate on the motion in favour of legislation embodying a policy of Prohibition for India. He zealously supported the proposal quoting both Scripture and the example of the United States of America. The hon. member contended that poverty and misery, which called for redress, were caused in India by the use of alcoholic liquor.

Dr. S. K. DATTA moved an amendment recommending the inclusion of drugs in a policy of Prohibition, but the reference to drugs was ruled out of order on technical grounds. Dr. Datta, accordingly, amended his amendment, which now was confined to liquors and proposed that pending the acceptance of Prohibition the sale of alcohol should be controlled by popularly elected bodies. The arguments for and against Prohibition have been worn threadbare in recent years, and the hon. member followed on the familiar lines. The extent of the drink evil in India, he urged, was shown by the increase in the revenue from drugs and drink which now amounted to nearly Rs. 20 crores a year. Imports of spirits, the most dangerous form of alcohol, were also increasing. The results of Prohibition in America were also cited, the hon. member affirming that since the policy was introduced insanity and other evils had diminished.

Sir Basil BLACKETT said that the Government of India had no desire to shirk their responsibility in this matter. Their policy was and had been to secure the maximum of revenue with the minimum of consumption, and he proceeded to show that it had been attended with results that ought to meet the approval of temperance advocates. In 40 years the consumption of country spirit had been exactly halved and to-day it amounted annually to 2'6 gallons per head of the population. Contrast this with Ceylon where the figures were 15'3 gallons per head, with England and Wales where they were 30 gallons and Scotland where they were as high as 58 gallons. Again, Sir Basil showed that there had been a very large decrease in the clearances of imported liquor since the pre-War year and he maintained that the statistics proved that the policy adopted by Government had been distinctly effective in securing a very remarkable diminution in the total quantity of liquor consumed in India.

It was true that the yield of duty, both in Customs and Excise, had shown a large increase, but that was due to the policy he had described. Here, there was a complete answer to the charge that Government, for purposes of its own, had encouraged consumption. A policy of Prohibition in the present circumstances of India was unthinkable and if the Assembly committed itself to such a policy it would commit itself to the impracticable.

The Finance Member next gave a brief account of his investigations of ancient Hindu law on the subject of liquor. It was true that the Code of Manu did prohibit its consumption by Brahmins and provided for an offender the punishment of suicide by drinking molten lead. But, generally, although virtue was to be obtained by abstinence, liquor was not prohibited. As for the United States, he said that Prohibition had led in America to widespread disrespect for the law, to corruption among officials, to manslaughter and to demoralisation of the citizens. He appealed therefore to the Assembly not to commit themselves to such a policy, even as an ultimate policy, but to allow the debate to be taken as a declaration that they desired the Government to pursue a policy of temperance. But appeals were of no avail, and in the end the Assembly, by 69 votes to 39 adopted an amendment moved by Mr. KELKAR recommending total Prohibition as the ultimate policy to be adopted by the Government, and as a first step the inauguration of a policy of a system of local option by which popularly elected bodies should control the number and location of liquor shops.

#### Recruitment to the I. M. S.

Dr. LOHOKARE moved that immediate steps be taken to arrange that all further recruitment to the Indian Medical Service, Indian Army medical cadre, shall henceforth be only by an open competitive examination held simultaneously in England and in India from the year 1926.

Dr. Lohokare said that though the Government had decided to retain the Indian Medical Service they had not announced their conclusions on other important details which the Lee Commission had recommended, and the Government of India had accepted the proposal to provide adequate European medical attendance to European officers. This had meant that Europeans were to be recruited, not because they were the most competent doctors, but because they were Europeans. A serious effect of the decision was that a large majority of civil posts reserved for I. M. S. officers would be filled by Europeans and there would be fewer and fewer Indian I. M. S. officers in civil employ. He would not mind if Government recruited a separate European service for European officers, but he insisted that medical officers recruited for the Army must be selected not on a racial basis but on the mere test of efficiency. Indians distrusted the Government's policy because on a flimsy pretext it gave up in 1914 recruitment to the Indian Medical Service by competitive examination and had not yet reverted to it. His experience of the selection method was that it shut the door against the best medical talent of the country. They based their recruitment on backdoor influences. How then could they get the best doctors for the Army? An open competitive examination was the only way to secure the best recruits.

Dr. Lohokare was supported by Sir Sivaswamy IYER and others who held that the proposal was modest and reasonable and did not raise the controversial issue of the organisation of the Medical Services.

Dr. DATTA accused the Government of the intention to keep Indians out of the service and was of opinion that the British Medical Association stood in India's way.

Colonel NEEDHAM said there was no particular reason to object in principle to the reintroduction of competition. Recruitment by competition was merely held in abeyance till they reached settled conditions. They must sympathise with the Service during the last 15 years. Statesmen, doctors and soldiers had sat on several Commissions on the Service, but no particular result had yet ensued till, a month ago, the very existence of the I. M. S. was in doubt. Under those circumstances it would have been impossible to have the ordinary system of recruitment. Nomination in the past was exercised with the greatest possible care, and reversion to competition was wisely postponed till the conditions of the I. M. S. were settled. The greatest stimulus to recruitment that could be given would be the settlement of the organization. He, as an I. M. S. officer, would welcome such a decision, because at present they did not know where they stood. The second part of the resolution related to a simultaneous examination, and introduced a new feature. There were insuperable practical difficulties in the way of a simultaneous examination. For instance, supposing the same paper was set in the two countries, they could not ensure the same standard in the marking of papers. The difference of a few marks would mean a great deal for the success or failure of a candidate. He was of opinion that the best policy would be to hold the examination in one place. (Mr. Shamlal Nehru : Then hold it in India). All he stood for was that entrance to the Service must be by one door, and Indian officer of the I. M. S. were with him in that view. A separate examination in India might give rise to the feeling, however unjust, that the European candidate had better qualifications, and that would impair the "esprit de corps" of the service, which had been so well maintained in the past and which he hoped would continue in the future. He could not support the proposal in the resolution that simultaneous examinations be started with effect from 1926. He believed that Indian officers should have training in England which would be of great benefit to him. The resolution was carried by 55 votes to 42.

#### The Age of Consent Bill.

On the 3RD SEPTEMBER the Assembly resumed the discussion of the clauses of the Age of Consent Bill.

Dr. DATTA moved that the age of consent for married girls be raised to 14 years instead of 13 as provided by the Bill. He said his amendment was for educating the community. He referred to the unhealthy growth of children in Calcutta, and the decision of Calcutta University to have compulsory military training for students. He feared compulsory military training would make no difference to a nation of unfits. The low age of marriage was responsible, and the real remedy was to raise the age of consent. He would not, however, press his amendment if the Home Member would undertake to make a thorough enquiry.

The Home Member said that he would, by executive reference, consult Local Governments and administrations on Sir Hari Singh Gour's proposals to raise the age to 15 in the case of non-marital relations.

Dr. Datta's amendment was withdrawn.

Sir Hari Singh GOUR then moved his amendment, and as he was

speaking the Home Member, interrupting, warned him that if he moved his amendment he (the Home Member) would withdraw his previous offer of circulating to Local Governments. Sir Hari Singh then withdrew his motion.

Mr. Doraiswami IYENGAR moved that the punishment of a husband should be only by fine and not by imprisonment, because the latter would cause domestic ruination. The House rejected the amendment by 64 votes to 29.

Mr. ACHARIAR pleaded that the punishment in the case of a husband be only six months' imprisonment or fine. This also was rejected by the House by 59 votes to 37.

All clauses having been passed the Home Member moved that the Bill be passed.

Mr. Rangachariar said that he did not take the orthodox view. The fact however was that though public opinion was advanced there were still communities which believed in early marriages and their early consummation. He therefore warned the Government that such communities should not be harassed as a result of the administration of this law. Personally he accepted the Bill and thought it was a wise step which the Assembly would not regret.

Mr. Rama Iyengar again appealed to the House to exclude husbands from the provisions of the Bill. Mr. Kelkar suggested that the right solution would be to make the age of consent and the age of marriage identical. Mr. Belvi and Mr. Amarnath opposed the Bill. Mr. Belvi warned the Government that the Bill would one day lead to a breach of the peace and bloodshed. Sir Alexander Muddiman made it perfectly clear that the Government took seriously the views of those members who had opposed the Bill. The Government, however, believed that it was carrying with the Bill the advanced section of the orthodox community.

The Bill was passed on a division by 84 votes to 11.

#### Coal-Grading Bill.

Sir Charles INNES moved for consideration of the Select Committee's report on the Coal Grading Bill, which he said had been improved by the Select Committee.

Sir Willoughby CAREY asked the Assembly to pass the Bill as soon as possible. He emphasised that a prosperous coal export trade would make a prosperous coal trade, and a prosperous coal trade meant prosperous industry in the country. He assured those who feared that the export of coal might eventually bring about a shortage of coal for internal consumption, that the existing mines could supply coal for hundreds and hundreds of years and there were a great many mines which were not yet sampled or even discovered. He referred to the difficulties, grievances of the coal trade in the past and hoped the present Bill would give encouragement to export, while there was a possibility of reopening the mines which had been closed and there would be scope for new fields. As the railways were going in for new fields the need for finding overseas markets was all the more necessary.

Mr. Jamnadas MEHTA explained that the joint minute by him and by Mr. Abhyankar was only explanatory. They wanted to show that they did not fully accept the Noyce Committee's report but found that the Bill as a whole was acceptable to them though he would have liked some improvement in one or two matters.

Sir Charles INNES gave the assurance that as soon as possible the question of protection to the coal trade would be referred to the Tariff Board and that the questions relating to long distance freight on coal for internal consumption and railway collieries were under consideration.

Sir Purshotamdas asked the Government to take a lesson from the case of the coal trade and not delay action till the industry was on its last legs.

The Bill was passed unanimously.

The Bill regarding the CARRIAGE OF GOODS BY SEA was then passed and also the Bills amending the PROVIDENT FUND ACT and the OPIUM ACT.

On the motion of Mr. Chartres the House referred to a strong and representative Select Committee the LEGISLATIVE BODIES CORRUPT PRACTICES Bill, after Pandit Motilal Nehru had declared and the Home Member had agreed that by so doing the House was committing itself only to the desirability of penalising corruption in legislative bodies and not to the procedure or definitions proposed in the Bill.

Mr. Ramachandra Rao opposed the motion and wanted circulation of the Bill. Sir Alexander gave the assurance that he would circulate it and ascertain the opinions of the Local Governments. The Select Committee would not be asked to sit the next session in Delhi.

## Debate on the Reforms Committee's Report.

SIMLA — 7TH SEPTEMBER 1925.

There was an extraordinary rush of visitors when the Legislative Assembly met on the 7TH SEPTEMBER to discuss the Muddiman Committee's Report. The attendance of Members, on the other hand, did not show any marked increase.

Sir Alexander MUDDIMAN was cheered by all sides of the House when he rose to move the Assembly to recommend to the Governor-General-in-Council that he do accept the principle underlying the Majority Report of the Reforms Enquiry Committee and that he do give early consideration to the detailed recommendations therein contained for improvement in the machinery of Government. He said he had brought forward the resolution to fulfil a pledge of Government.

The Home Member mentioned the names of the members of the Committee to show that it was well constituted. He next refreshed the memory of the members by reading the terms of reference, which he said, on the one hand, made the enquiry into the defects inherent in the Act unlimited, but which, on the other hand, were an offer distinctly limited in scope since the Committee's remedies were to be such as not to affect the structure of the Act. He declared: "I mention this because the Committee has been much attacked for not doing what it was not authorised to do." As regards constitutional enquiries these were generally in the nature of a *post-mortem* examination, because the actors were no longer present, but in the case of his committee it was different. They examined men who had held offices or who were in office under the Reforms. He publicly acknowledged the assistance rendered to the Committee by the witnesses. Unfortunately the Committee presented two reports.

Sir A. Muddiman continued "I am moving the House to accept the Majority Report. (Cries of "No, no.") The Home Member:—I said I was only moving (laughter) that the House should accept the Minority Report. (There was considerable applause because Sir Alexander Muddiman by a slip of the tongue mentioned the word, "Minority" instead of "Majority"). Resuming he said the Majority Report had made numerous recommendations of varying degrees of importance. The Government of India could not accept all the recommendations, but accepted the principal ones. He stated: "I would tell the House that these are valuable suggestions, which all practical men should seriously consider. (Voices: 'No, no.') The machinery of the Government of India Act is not simple: it is complicated. If I can leave this country with the satisfaction of knowing that I have, in however small a degree, facilitated the working of the Act I shall be satisfied that I have done something."



Turning to the Minority Report, he said the pith of the report was at the tail end. He read out the last paragraph and emphasised that so far as practical politics was concerned the Minority wanted a Royal Commission to be appointed at once and emphasised that it wanted automatic provisions for advance. In this respect, the Home Member said, he could not do better than refer the House to the words of the Viceroy when he referred to the Minority Report and as a friend of India opined that the issue was only one of time and that if the Commission were appointed immediately it would only result in disappointment. The words from a Viceroy who had been in India for the years should naturally command attention. How much more so, when Lord Reading had just returned after an intimate touch with political world in England? Sir A. Muddiman declared: "No wiser judge of political affairs and political potentialities, I venture to think, exists in the British Empire and when, after his recent contact with the political life at Home, His Excellency gives you this advice I think the House would do well to ponder over it, not once, but many times."

Referring to the question of the appointment of a Royal Commission, the Home Member read from the Preamble of the Act and emphasised that it did not envisage automatic progress, as urged by the Minority, but laid down the lines for gradual progress. In the words of the Secretary of State, he assured the House that the British were not slaves of dates. But the door of acceleration was not open to menace. Still less would it be stormed by violence. The position therefore was that, while there must be a Statutory Commission in 1929, there might be a Royal Commission earlier. The Minority recognised that before any change took place there must be a Statutory Commission in 1929, there might be a Royal Commission earlier. The Minority recognised that before any change took place there must be a wider enquiry by a Royal Commission. He asked the House to keep in view Sub-Section 2 of Section 84 A. It laid down that the Commission should examine the working of the system of Government, the growth of education and the development of representative institutions in recommending an expansion or restriction of the present system. Sir Alexander said: "We, the Government on the one hand, and you, the non-officials, on the other hand, will be asked to show how we have worked these institutions. We will have to render an account of the stewardship in respect of the opportunities placed in our charge. Let us consider as practical men what impression will be made if that enquiry were to be held immediately." They were still in the life of the second Assembly, while the Council of State had not yet finished its first period. Then again they had only just passed a constitutional landmark, as a result of which the President of the House had been elected. (Applause). He did not wish to rake up old discords; but the fact remained that the first legislatures lacked the element which was now present.

The Home Member continued: "What opinion will the Commission form on facts and events such as these? Will it be favourable, will it be unfavourable or will it say it can form no opinion? Appeals to Caesar are sometimes dangerous. Only those whose hearts are very clear, can stand before the judgment seat with confidence. At the most only four short years remain before that Assize must be assembled." The Home Member felt that greatly unnecessary importance had been attached to the date on which the Commission would be appointed. He declared: "What is really important to my mind is what evidence you will place before it whenever it is appointed, what answer you will give."

Mr. Jinnah: A very good answer.

The Home Member: I am glad to hear my friend say so.

Continuing the Home Member said he remembered, that some years ago, when in a country garden in the west of England, he saw a sun dial whereon were written the words "*Pereant Et Impunitae*" These meant that the hours fly away, but the record remains: "Nearly six years have passed." Sir Alexander stated, "and our proceedings have been written down. Do we wish the next years to pass in the same way? Are we to remain estranged in our attempt to deal with this problem—a problem, the greatest, which had ever presented itself to the human race? You are building not a constitution for a nation, but for a continent. Can we afford to stand aside? Can we afford to remain as I sometimes feel that we are remaining, on the one hand, a party trying to storm a fortress and on the other hand, persons defending that fortress as if our lives depended upon it. Sir, this is not the way in which constitutional progress and constitutional reform can be effected. (Mr. Ranga Iyer: What is the way?) His Excellency the Viceroy has made an eloquent appeal for co-operation. Now, co-operation is not a mere phrase. Co-operation is a course of deliberate conduct."

Mr. Shanmukham Chetty: On whose part?

Sir A. Muddiman : On the part of all us.

Mr. G. P. Singh : It must be mutual.

Sir A. Muddiman : As I have said, the Secretary of State in his speech indicated that constitutional progress might be accelerated on one condition, and that, I will read to the House. He says : "There will be, there can be, no reconsideration till we see everywhere among the responsible leaders of Indian thought evidence of a sincere and genuine desire to co-operate with us in making the best of the existing constitution." That Sir, is the theme of the resolution, I put before the House. I can only regret that I do not possess the eloquence of my predecessor to move the House as that eloquence might have moved it. I am pleading, possibly in a rough and uncouth manner, a great thing. I only trust that the theme will not suffer at my hands. (Applause from all sides of the House.)

#### THE NON-OFFICIAL AMENDMENT

Pandit MOTILAL then rose amidst still louder applause to move his amendment. He moved :—

"This Assembly while confirming and reiterating the demand contained in the resolution passed by it on the 18th February, 1924, recommends to the Governor-General-in-Council that he be pleased to take immediate steps to move His Majesty's Government to make a declaration, in Parliament, of the following fundamental changes in the present constitutional machinery and administration of India :

"(a) The revenues and all property vested in, or arising or accruing from the property or rights vested in His Majesty, under the Government of India Act, 1858, or the present Act, or received by the Secretary of State in Council under any of the said Acts, shall hereinafter vest in the Governor-General-in-Council for the purposes of the Government of India.

"(b) The Governor-General-in-Council shall be responsible to the Indian Legislature and, subject to such responsibility, shall have power to control the expenditure of the revenues of India and make such grants and appropriations of any part of those revenues, or of any other property at present under the control or disposal of the Secretary of State-for-India-in-Council, save and except the following, which shall, for a fixed term of years, remain under the control of the Secretary of State for India : (1) expenditure of the Military Services up to a fixed limit ; (2) expenditure classed as political and foreign ; (3) payments of all debts and liabilities hitherto lawfully contracted and incurred by the Secretary of State-for-India-in-Council on account of the Government of India.

"(c) The Council for the Secretary of State for India shall be abolished, and the position and functions of the Secretary of State for India shall be assimilated to those of the Secretary of State for the Self-Governing Dominions, save as otherwise provided in Clause (b) and

"(d) The Indian Army shall be nationalised within a reasonably short and definite period of time and Indians shall be admitted for Service in all arms of defence and for that purpose the Governor-General and the Commander-in-Chief shall be assisted by a Minister responsible to the Assembly.

"(e) The Central and Provincial Legislature shall consist entirely of members elected by constituencies formed on as wide a franchise as possible.

"(f) The principle of responsibility to the Legislature shall be introduced in all the branches of administration of the Central Government, subject to transitional reservation and residuary powers in the Governor-General in respect of the control of the military and foreign and political affairs for a fixed term of years, provided that during the said fixed term the proposals of the Governor-General-in-Council for appropriation of any revenues or moneys for military or other expenditure classed as "Defence" shall be submitted to the vote of the Legislature, but that the Governor-General-in-Council shall have power, notwithstanding the vote of the Assembly, to appropriate, up to a fixed maximum, any sum he may consider necessary for such expenditure and in the event of a war to authorise such expenditure as may be considered necessary exceeding the maximum fixed ;

"(g) The present system of Dyarchy in the Provinces shall be abolished and replaced by unitary, autonomous responsible Governments, subject to the general control and residuary powers of the Central Government in inter-provincial and all-India matters ;

"(h) The Indian Legislatures shall, after the expiry of a fixed term of years, referred to in clause (b) and (f), have full powers to make such amendments to the Constitution of India from time to time as may appear to it necessary or desirable ;

"This Assembly further recommends to the Governor-General-in-Council that necessary steps be taken (a) to constitute, in consultation with the Legislative Assembly, a Convention, Round Table Conference or other suitable agency, adequately representative of all-Indian, European and Anglo-Indian interests to frame with due regard to the interests of minorities, a detailed scheme based on the above principles, after making such enquiry as may be necessary in this behalf ; (b) to replace the said scheme for approval before the Legislative Assembly and submit the same to the British Parliament, to be embodied in a Statute."

Pandit Motilal NEHRU, in a long speech, moved his amendment, which, he said, had the support of all the Nationalists and was the result of the most careful and anxious consideration by both the Independents and the Swarajists. The principle underlying the majority report was to give Indians as little as Government could and to make sure, in giving that little, that the power and prestige of the bureaucracy was not in the least jeopardised. He severely criticised Diarchy as the work of speculative constitutionalists. The demand outlined in the amendment was the very minimum which the Nation could ask. Whatever agency was appointed to make a detailed enquiry, in order to incorporate the demand, it must be adequately representative of all interest. Procrastination was the Government of India's policy and indecision was the policy of the British Cabinet. The fundamental principle of a constitution for India must be self-determination. Wise men were not slaves to dates ; yea, But wise men were not slaves to preambles either. If the principle of self-determination was not granted, Indians would not be diverted from the pursuit of what they considered their birth-right.

Indians, stated Pandit Motilal, were absolutely fit for Self-Government, as fit as the Britisher were in their country. Lord Birkenhead asked for co-operation, as the first condition to any progress. The Pandit asked for a change of heart on the part of the Government. Unless there was a change of heart and Swaraj, in the fullest sense, was guaranteed, there could be no real co-operation.

Concluding, Pandit Motilal Nehru quoted the late Mr. C. R. Das's Faridpur speech offering conditional co-operation and said that the present system of Government could not continue except by use of force.

Colonel CRAWFORD made a soldier like-speech. He believed that the ryots cared little for the nature of the Constitution. He was glad the Secretary of State had maintained the constitutional practice of consulting the House before any final decision was taken. No one expected much from the Reforms Enquiry Report, for there was no short cut to the paradise of Self-Government. He had been disappointed at the failure of the Swaraj Party to take part in the enquiry. They were constantly proclaiming India's right to self-determination as a reward for her services in the War. Many were striving genuinely to help India on the road to political progress ; but the Swarajist attitude was unsportsmanlike and unlikely to appeal to the British nation. He congratulated the members of the Committee who had signed the Minority Report ; but had the report been less partisan, it would have appealed with greater force. He could not agree that Dyarchy had failed, though the system was not popular. He admitted that the existing constitution was unpopular, but before any Commission could be appointed it was necessary to create an atmosphere of general goodwill and exercise the demon of distrust and obtain some substantial measure of agreement among all classes. The road to Swaraj was big and difficult. Their aim should be a representative, rather than a democratic form of Government. India was not a nation and a Federation of the Peoples of India was wanted. Religious, communal, national and caste differences were a portion of the problem the would always be present. Only by being good communalists could they make good nationalists. He wished to strongly support greater representation for the Depressed Classes and for Labour ; but he hoped that other representatives than lawyers would be found for them. His friends, Messrs. Joshi and Chamanlal, he felt, were often wrong in their facts and governed by western Socialist ideas.

Sir P. S. SIVASWAMY IYER said there was confusion as to which was the Majority and which was the Minority Report. But for official convention Sir Muhammad Shafi would have signed the Majority Report (here there was good laughter, because Sir P. S. Sivaswamy Iyer like Sir Alexander Muddiman, suffer from a slip of the tongue) and the Minority Report would really have been the Majority Report. As a member of the

Minority he felt that though they had no objection to the Majority proposals generally, they felt they were inadequate and unsatisfactory and that Dyarchy could not be cured by the minor changes recommended. Officials who felt shy of Dyarchy before bleated it now because they could not go back upon the '*status quo*' and could only go forward, which they did not want to. Lord Birkenhead's speech had been aptly described by "The Morning Post" as a rigidly, pompous oration. (Laughter.) Lord Reading had told them that the verdict of a Royal Commission at present would go against them. The speaker, however thought that, if the Commission examined from the point of view, not of absence of co-operation, but as to why co-operation was not received, it would not go against them. Those who unwisely non-co-operated thought that the Government had not fulfilled its promises, but the present House showed that they had come back to co-operate. Indeed the fact that an ex-Non-Co-operator was occupying the Chair of the House was proof of their desire to co-operate. (Mr. A. Rangaswamy Iyengar : Honourable co-operation) and to utilise opportunities to do constructive work (Applause). Opportunities for responsibility made people sober and wise. (Mr. Jinnah : Hear, hear.) Could the Government say that Indians had not shown a sense of responsibility. (Hear, hear.) One other difficulty was that they were not convinced of the sincerity of the professions of the Government. (Hear, hear.) They believed that the Government did not, in its heart of hearts, mean to grant them Self-Government. (Hear, hear.) If the suspicion of the people could be removed he was confident their attitude would change. The suspicion was not without reason. The attitude of the Government towards the Indianisation of the Army was one illustration. Although a resolution, with the concurrence of the Government, was passed 4 years ago, asking for the Indianisation of the army, Lord Birkenhead had told them in effect that they must wait for 25 years and prove the success of the Reforms before asking for more. Thus they would have to wait till the Greek Calends before the Army was Indianised. Therefore distrust in the Government's intention was to a large extent justified. The theories of guardianship, mandate and trust did not deceive the people.

The speaker had never believed in indiscriminate opposition ; but he felt that unless the Government changed its attitude deadlocks might continue and distrust and suspicion on both sides would increase. He was glad to find that Pandit Motilal's amendment contained substantially the Liberal Party's resolutions and that the Swaraj Party had given up their barren path and had come to the path of construction. (Applause from the Independent.) As regards the drawing up of a Constitution they did not want to waste time if the Government was not prepared to consider it : but if the Government would, they would prepare it.

Mr. Shanmukham CHETTY said that the chief value of the Reforms Enquiry Committee was in that it showed the failure of the present Constitution. The aim of the Government of India Act was to train Indians in the craft of Self-Government. The present divided responsibility in the provinces was not only unworkable, but unheard of in history. The basic factor in diarchy was joint deliberation between the two halves of the Government. Not only had that failed, but there was also no joint responsibility between the Ministers. Faith, not reason, was the foundations of all Governments and the people had no faith in Diarchy.

Referring to the Majority Report, the speaker said that its signatories had failed to do justice to their task. They had not the moral courage to scrap Diarchy. Mr. Shanmukham Chetty quoted from Mr. Chintamani's presidential address at the last Bombay Liberal Conference, where, he said that the interests of India would have been better served if no Reforms Enquiry Committee had been appointed. Mr. Shanmukham Chetty concluded by saying that Lord Birkenhead wanted co-operation, but co-operation could be mutual only if the Government showed a change of heart.

Mr. Ranga IYER supporting Pandit Motilal's amendment, said that the unsolved communal problem was thrown in their face, as against their demand for Self-Government. Communal differences could not be settled unless they had control over the administration. The English Government was responsible for the communal differences in India, by their policy of divide and rule. They had been stimulating such differences. The history of Canada and South Africa showed that there were very acute differences of race and creed in those countries and yet England had granted them Self-Government. Those were countries without traditions and civilisations, while India had an older civilisation than England and yet the right to rule was being denied to them. He further warned that the refusal to grant them their prayer would end in a tremendous agitation and the Government should be prepared for the consequences. He concluded : "We want to be free, but we do not want to break away from you yet, and that is why we have presented you with our amendment to-day."

Dewan Bahadar T. RANGACHARIAR, supporting the amendment, hoped that his speech would not be a waste of words as his previous speeches had been. He had no doubt that the Assembly would reject the proposal of the Government. Reforms were introduced to train Indians in the art of Self-Government and not merely to appoint A, B or C as Ministers. Had the Reforms trained Indians in that art? That was the test which they should have to face as statesmen. Were the Government satisfied that the recommendations of the Majority Report would satisfy that test? He was not familiar with Dyarchy and therefore confined himself to the Central Government, which, by his co-operation, he tried to work.

Mr. Goswami : You have wasted your energy.

Mr. Rangachariar said that his views on the working of the Central Government had been fully conveyed by Sir Alfred Mond in the House of Commons. They had an elected majority in the Assembly, but there was an irresponsible Executive, which was supposed to be responsible only to some people abroad. That was hardly a satisfactory state of affairs. It was thought that the Muddiman Committee would have something to suggest on the matter. The Majority Report merely suggested stagnation and the principle of stagnation was asked to be accepted by the Assembly. Despite the Government's denials, they (the Government) were slaves to dates and to preambles. Mr. Rangachariar asked : "If the Government is not going to change the principle then why this farce of discussion and why this talk of fellowship, comradeship and friendship?"

Mr. Jinnah : To work the gas and boiler. (Laughter and applause.)

Mr. Rangachariar : If that be so, let us part company (Loud applause) and let the Government take note of the significance of the support given to this amendment by Pandit Motilal, at one end of the pole, and by my friend Sir P. S. Sivaswamy Iyer, who is at the other end of the pole. (Laughter and applause.) I ask the Government in all seriousness to consider it carefully. You talk of difficulties ; but have they not got over the difficulties in Australia, in Canada and other countries? There is perfect unanimity in India on this constitutional question. All classes, all communities, and all sects, and sub-sects are united in demanding a change in the Constitution. It is a great sign of the times that Pandit Motilal and his Swarajist friends have joined us in formulating some of the fundamental principles with regard to the Indian Constitution, as mentioned in the amendment.

Mr. Abhyankar : Now will you join us in the mean?

Mr. Rangachariar : That is another question. We shall discuss it later. As I said before, there is the hand of fellowship given to the Government and I hope the Government will take it, so that the best brains of the country, both inside the legislatures and outside, may be devoted to useful purposes for advancing the interests of India.

Sir Charles INNES, in opposing the amendment of Pandit Motilal, said he was disappointed that it had been moved especially after the speeches made by the Secretary of State and Lord Reading. Those speeches had clearly showed that the present Constitution, whatever might be its defects, must be worked in order to achieve the end ; but the amendment of Pandit Motilal was couched in the old familiar lines and Sir P. S. Sivaswamy Iyer to support it. It was easy to foresee the lines the debate would take and the result ; but he would not waste the time of the House by referring to the details of the amendment. It was clear that the objective of all was Responsible Government for India within the Empire. The only difference was as regards the manner. Pandit Motilal has told them that he had offered the hand of fellowship.

Pandit Motilal :—What I said was that any scheme, which is devised by us all sitting in one conference, will be the scheme in which not a single comma or full-stop can be changed. We will all be parties to it.

Sir Charles Innes :—Then I gather that the Pandit does not change in the slightest respect the opinions which he expressed in February 1924. Then I can only express surprise at Mr. Rangachariar having congratulated himself for having thought he had roped in the Swarajists. On the other hand Pandit Nehru has mildly, but firmly brought Mr. Rangachariar and Sir P. S. Sivaswamy Iyer into the Swarajist parlour (Laughter).

Mr. Rangaswamy Iyengar :—We were all together last year.

Sir Charles Innes :—I think that the Pandit's interpretation has clarified the position. This amendment is intended to repudiate the Preamble of the Government of India Act. The responsibility for the manner and the time of each advance rests on the British Parliament, who are responsible for the welfare and advancement of the Indian people. The amendment is definitely a challenge to the British Cabinet. (Several voices :—That is right). If so then the Government must unhesitatingly oppose the amendment. That is not a position which we on the Treasury Benches can accept.

Mr. Rangaswamy Iyengar :—Because you are bound hand and foot to the British Parliament.

Sir Charles Innes :—I hope this Assembly will realise that if this amendment is passed you will be committing a grave mistake (laughter). Co-operation has been offered to you by His Majesty's Government and this amendment rejects that offer with contumely. That, I say, is a very grave mistake to make. We cannot allow the claim of the British Parliament to judge the measure and the time of each constitutional advance to diminish. They are responsible not for the intelligentsia, nor for any section of the people, but for all the peoples of India. They have a claim which they cannot give up.

Mr. Rangachariar :—Could we not ask the Parliament to give it up?

Sir Charles Innes :—You cannot; I tell you why. Over a hundred years ago almost by accident the British Government assumed responsibilities for India. A voice :—Yes, by robbing India).

Sir Charles Innes :—In these hundred years and more we gave you what you never got.

A voice :—Emauculation (laughter).

Sir Charles Innes :—We gave you peace and order and good Government. Now if this is gone, then there will be no safety and tranquility.

Sir Charles Innes said that the Government Members were in no special sense wedded to Diarchy, but Diarchy was a step on the road to Self-Government. India was now in a transitional stage. Sir Charles Innes was prepared to admit that Diarchy was unworkable; but he would not go into a debate on the point. Incomplete self-government was always unsatisfactory, but where they had not got full Responsible Self-Government? Diarchy, as a transitional experiment, must be preferred. As for the Central Government, Sir Charles Innes thought that the amendment itself proposed diarchy. (A voice : No) He was not prepared to enter into a discussion on that point. He was not anxious to raise the temperature of the debate, but he asked : "Did the House realise that in Canada, which had been quoted as having got Self-Government, there were only 16 millions, while in India there were 320 millions of people? Where is the fundamental unity, which is the basis of all democratic institutions?" That was lacking in India. So long as fundamental unity and unanimity among Indians was wanting, there would be danger in introducing Democratic Self-Government. Let Mr. Rangachariar, who had so eloquently pleaded for a change, examine his own conscience and say whether there was that fundamental unity. Moreover there was the danger of the advance being premature. In view of the fact that the Statutory Commission would come and make enquiries, the Government of India could not offer any other solution at the present time. In any enquiry India should have not only the best brains in India, but the help of His Majesty's Government. Let there be no suspicion and let there be charitableness. As one who had served in India 27 years, Sir Charles Innes said that the progress which India had made during the last four years itself was greater than was expected.

Pandit Motilal asked whether the Government had any proposal counter to the non-official amendment.

Sir Alexander Muddiman : I shall deal later.

Mr. T. C. GOSWAMI said that Sir Mahomed Shafi's explanation had shown that the officials had gone to the Committee with a bias. He recalled the personal history of Lord Birkenhead, especially in relation to Ireland, to enable the House to judge what meaning to attach to the epigram of His Lordship, that wise men were not slaves of dates. (Laughter.) Mr. Goswami considered the amendment as most modest, but he told the non-official members that they had no right to vote for it until they had proclaimed the sanction behind the amendment and until they were prepared to face the consequences, if it was not accepted by the Government. The speaker was surprised at the reasoning of the Liberal leaders, Dr. Sapru and Mr. Chintamani. In one breath they said the Constitution was unworkable and in another breath they urged that it should still be worked. He concluded that not only were the Preamble and the Constitution not acceptable to them as sacred, but even the Empire was not sacred to them. He declared : "If we cannot have Swaraj within the Empire, we shall have it outside the Empire."

Sir Purshotamdas THAKURDAS said Sir Charles Innes had more than made up for the modesty of Sir Alexander Muddiman, but the Commerce Member had only confused the issue and had tried, though unsuccessfully, to draw the red herring across the line by trying to frighten Mr. Rangachariar and Sir Sivaswami Iyer by stating that they were walking into Pandit Motilal's parlour. The Muddiman Committee consisted, with the exception of Mr. Jinnab, of officials and ex-officials and Sir Muhammad Shafi had shown that the minority was really the majority and therein lay the secret of the

Indian support to the Minority Report, wrongly so called. Why was the Government distrusted? There was the case of the Cotton Excise Duty. Despite the great popular agitation, the Government still persisted in not abolishing the duty. Then again the Tariff Board's report on Cement industry had been rejected without reference to the House. Would the Commerce Member have acted like that if he had been responsible to the House? Could the Finance Member have similarly persisted in his currency and financial policy? Then again, could the Home Member have sent Europeans, and not non-official Indians, to represent the country at the League of Nations? After a hundred years of British rule Lord Brienhead had discovered the need for agricultural development. That was because the British did not like India to advance industrially. He assured Lord Reading that, as a representative of Indian trade and commerce, he was not for forcing the Government to hasty action; but the Indian Commercial community were convinced that without a Responsible Government, they could not progress. Indeed progress would only be in the retrograde direction. He would vote with Pandit Motilal with full confidence and conviction (Applause).

Mr. Rangaswami IYENGAR said the present Government was government by a corporation, which zealously guarded the interests of the British shareholders. The position of the Secretary of State was not that of an individual, but that of a corporate body and he was not responsible to the people of India, but the Parliament. One obvious result was that if Parliament wished to use some of the Indian revenues for Imperial purposes, they could do so, so long as the Anglo-Indian corporation lasted. Vested interests would always have preference over Indian interests. That was why they wanted that the Secretary of State's absolute control over Indian Revenues should cease and his Council abolished.

The debate could not be finished and the Assembly adjourned for the next day.

#### SIMLA — 8TH SEPTEMBER 1925.

Next day, the 8th September, Mr. Mahomed YAKUB, supporting Pandit Motilal's amendment to the Reforms Motion, said that he represented the minority of 75 millions of Mahomedans. The Reforms of 1919 were regarded by Indian Muslims as inadequate and unsatisfactory. A thorough enquiry to overhaul the entire system was needed. Indian Muslims were not opposed to Swaraj, but, on the other hand, they were as anxious as other communities to have Self-Government in India and they were fully aware that the present Act was inadequate to lead them to Swaraj. Their demands were put forward by the All-India Muslim League. He said that Indians could never be fit for Self-Government unless they were made responsible for the administration of the country.

Mr. ABHYANKAR further supported the amendment. He said that they wanted, firstly, the power of the purse. The Governor-General-in Council should be made responsible to the Indian Legislature. Democracy and Bureaucracy could not be wedded together. Further they wanted the Army in India to be Indianised within the shortest possible time. The Council of the Secretary of State should be immediately abolished. They wanted representative legislatures on the widest possible franchise. The Commerce Member's speech did him great honour, because he had upheld the traditions of his group. He had repeated the old falsehood of the theory of trusteeship. It was no trust. It was a huge fraud, a bombastic fraud. The Commerce Member had told them that man's life and woman's honour were now safe. Was it really so? Were their homes safe? Had not the noblest among them been thrown into jails? Were not hundreds shot like dogs at Jallianwala? He quoted instances of persecution of Catholics in England. Under the Protestant regime no marriage conducted by a Catholic priest was held legal. No Catholic could buy a horse worth more than £5 (Laughter). "This was the condition in your own country when you were enjoying Self-Government," said Mr. Abhyankar, addressing the Treasury Benches. The most moderate of Moderates, men like Sir P. S. Sivaswami Iyer and Mr. Rangachariar, had lost faith in the British sense of justice. The Britishers responded to a sense of justice only when some other sense like the one roused by Ireland made them wide awake. The present system of Government was treason against God's law.

Mr. RAMCHANDRA RAO was surprised that after the universal condemnation of the Majority conclusions in the Indian press, the Home Member had the hardihood to ask the House to adopt his proposal. Both the Majority and the Minority had also held that nothing they could do within the terms of reference would satisfy public opinion. The Home Member had made no reference to the detailed proposals of the Majority

Report, to some of which the speaker was opposed, while others he wanted to discuss. As regards Sir Charles Innes' observation about the lack of fundamental unity, the speaker stated that similar objections had always been brought forward every time a step in advance was taken and despite the argument, progress was sanctioned. He did not therefore see why the same objection should again be brought forward. He held that the whole scheme of the Government of India Act was unsatisfactory because the Indian Revenue was not vested in the Government of India and was not administered by the Government responsible to the Legislature in India. No change, except transference of power from London to Simla, could meet the situation.

Mr. CHAMANLAL felt that the atmosphere was surcharged with unreality. The Treasury Benches pursued a policy of do nothing trusting in brute force, while the people's representatives took their stand on the righteousness of their cause. The Government wanted them to eat the humble pie and accept a one-sided bargain. It was true they had no sanction behind the resolution; but he warned that they would create one. The Swaraj Party had really accepted the Liberal Federation programme, to show that the country stood united. The only difference was that the Swarajists would go to the country and raise a storm to enforce the demands. As regards the theory of trust it had been a trust handed down to them by robbers and thieves. Every pledge had been broken. The British were sentinals of the kind who protected the treasure, only to rob it themselves.

The President twice warned the speaker that he should refrain from constantly addressing the Treasury Benches and ignoring the Chair. (Laughter.)

Sir Basil BLACKETT said that he did not share the pessimism of Sir Alfred Mond or of Mr. Rangachariar. Sir Alfred had become a pessimist after his experience of the Budget debates of the Assembly in 1924. The speaker held that the presence of Mr. Patel in the Chair was the strongest answer to the pessimists.

Mr. J. Mehta : He is there in spite of you.

Sir Basil Blackett held that even the speeches of Mr. Abhyankar and Mr. Chamanlal showed that they had learnt a great deal by co-operation. He personally believed that there had been a great deal of co-operation in the passing of the Steel Protection Act, the separation of Railway finances and the passing of the last budget and that the future historian would agree that the second Assembly co-operated as well as the first Assembly. Mr. Rangaswami Iyengar had spoken a great deal about the need for transference of the control of the purse from London to Simla. He had spoken as if the control was absolute. Mr. Rangaswami Iyengar, who had proved a very valuable colleague on the Public Accounts Committee, must be aware that it was not.

Mr. Rangaswami Iyengar stated that the power of interference existed nevertheless.

Sir Basil held that it had not been exercised. Sir Purshotamdas had supported the resolution because Indian commerce would benefit if the Government was responsible to the Legislature. The speaker held, on the other hand, that no responsible Ministry in India could have yielded entirely to the pressure of the Bombay Merchants' Chamber and Bureau and sacrificed the interest of India as a whole, and that the exchange policy of the responsible Ministry would have been the same as that of the Government of India.

The Finance Member was not able fully to understand the amendment unless it had the virtue of being at the same time Swarajist, Independent and Moderate, and open to three interpretations to suit every party. (Laughter.) It looked incompatible even with the Minority Report. He sincerely felt that, instead of pressing the resolution in the amended form, if the non-officials admitted that what they wanted could not be done all at once and that they were willing to co-operate during the life of the present Assembly and the beginning of the next, instead of entirely rejecting the offer of co-operation from the British Government, they would have materially contributed to the discussion. The amendment of Pandit Motilal showed that its supporters stood for advance on the Western model. Provincial Autonomy was a nice phrase, but the division of the Central from the provincial sphere was very difficult. In one case it had led to a civil war and still the matter was unsolved. They might from now think of these functions, their distribution and the question of financial relations between the Central and Provincial Governments. He appealed to the non-official benches to so change their amendment or so to explain it that it did not mean rejection of the offer of the British Government and their claim to determine the manner and measure of advance. (Applause.)

Mr. JINNAH felt that the debate was not proving fertile. There was gloom and the political horizon was dark. The Government should understand why the people



non-co-operated. There was extraordinary events in the Punjab but these they had been asked to forgive and forget. The Khilafat was no longer an issue before them. The question of Swaraj was the only one that remained unsolved. In 1921 the Assembly was composed of men who came to co-operate despite the risk of odium and obloquy. That Assembly urged that a revision earlier than in 1929 was warranted. The Secretary of State's reply was that progress was possible under the Constitution, that the electorates had not been tested and that the constitutional machinery had to be tested in its working as a whole. To that the Assembly gave an answer in February 1924 by passing a resolution that the time had been to revise the Act. The Government chose to appoint the Muddiman Committee, to see whether substantial progress was possible under the structure of the Act and, if not, the question of revision was to remain a separate issue. The Muddiman Committee had reported. Col. Crawford has questioned the impartiality of the Minority, because it had stated the truth that its terms did not permit it to recommend remedial measures. He hoped that the Colonel would withdraw his statement.

Resuming Mr. Jinnah said the real issue before the House was whether the Act was to be revised earlier than 1929 or not. It had been proved that Dyarchy could not enable them to make progress within the structure of the Act. No minor amendment would satisfy any section of the politically minded people. What then was the Government's answer? He had heard speeches from the opposite benches which scandalized the people of India (Hear, hear). They were told they were not a nation during and after the war? How was they represented on the League of Nations as a nation? Was it that India was a nation, when it suited the British, and not when it did not. (Laughter.) Even Lord Birkenhead had contradicted himself in one place. He had asked whether India was a nation and in another breath had spoken of the people of India. The speaker recognised the difficulties and asked the Government to help India to overcome them. Lord Birkenhead had done a grave injustice to India by his statement that even ten cadets for the King's Commission were not forthcoming. Mr. Jinnah declared: "That is entirely false. We will give you ten thousand." (Applause.) Lord Birkenhead had shown utter ignorance of the conditions of India and grasp of only one side of the picture. He continued: "You say there are difficulties; I recognise them. Let us meet and solve them as comrades together. What is your answer to those who are co-operating? None. What is the answer to me me, who has come to co-operate? Do you want Pandit Motilal to go down on his knees before the Viceroyal Throne and then only you will appoint a Royal Commission? What has he been doing in the Assembly? Has he not been co-operating? What other evidence do you want to produce that the responsible leaders are not offering you co-operation? Have you no eyes and no ears, have you no brains? (Loud applause from non-official benches).

Proceeding, Mr. Jinnah said that Lord Birkenhead's pomposity had claimed the present Act as a "humble" effort in human ingenuity. Yes; ingenuity indeed! (Laughter). He had asked them to draft a constitution to solve "our problems," as if the problems were of the British people and not of the Indian people. (Laughter) The amendment recorded fundamental changes, which they wanted to be incorporated in the Constitution. Let the Government say that such and such a proposal was wrong and he would be open to conviction.

Sir Charles Innes:—Will the Hon'ble Member explain whether he accepts what Pandit Motilal Nehru said yesterday that not a comma of this amendment must be altered?

Mr. Jinnah:—I am used to the mischievous attitude of the Hon'ble the Commerce Member. I will not be drawn into his parlour. I have known the spider too long and the fly is not going to be caught. (Loud laughter). The Commerce Member had said that the Preamble could go to the winds.

Sir Charles Innes:—I said it can be altered, but not as you like.

Mr. Jinnah:—Supposing a Royal Commission came to the conclusion that, having regard to the growth of public opinion and educational conditions and the efficiency of the electorate, there should be an amendment of the Act on the lines proposed by Sir Charles Innes, the decision will rest with His Majesty's Government, but the Hon'ble Member does not admit it.

Mr. Jinnah, continuing, said:—Now let me come to this: Who will be the final arbiter? Who was the arbiter in the case of U. S. A.? Who was the arbiter in the case of South Africa?

Sir Charles Innes:—His Majesty's Government.

Mr. Jinnah:—Who was the arbiter in the case of Australia?

Sir Charles Innes:—His Majesty's Government.

Mr. Jinnah :—Who was the arbiter in Ireland ? The Hon'ble Members who carry on the government of India lack utter imagination (Laughter). Sir Charles Innes had no doubt carried on his work conscientiously and had done good work, according to his light (Laughter). But his 27 years' life in India was his greatest disqualification in examining the constitution. Mr. Jinnah declared : "He tells us that we have not known chaos and anarchy for a century, but Sir, we have seen the horror of being disarmed. We have seen the horror of being kept out of our own administration. We have watched the horror of helplessness. We have seen the horror of the people being kept in darkness without even elementary education and could the conditions of any civilized country after a hundred years' rule compare with this ? We want to free ourselves from these horrors. There is only one way to do it : that is to replace the irresponsible bureaucracy by a responsible democracy. We know the difficulties. We want you to help us. The Minority has proved the case for revision to the hilt. It was precluded by its terms to define Provincial Autonomy. To sum up, I want an answer. Are you prepared to appoint a Commission at once ?"

Sir Alexander Muddiman :—I will reply in detail later. I do not want to be cross-examined.

Mr. Jinnah :—Secondly, do you sincerely and honestly want us to submit to your fundamental proposals on which a Constitution can be based ? India to-day is in difficulty. I mean no menace and no threat. India is determined to win her freedom. The manner, the measure and time, either you determine in a reasonable spirit, or she will determine for herself (Loud applause).

Seth GOVINDAS, who represented the land-holders of the Central Provinces, said that the land-holders of his province had come to realise that their interests were not opposed to national interests. The speaker held that the Constitution must be framed by the people themselves and not forced upon them. He was of opinion that the Majority Report would be a stumbling block in the way of self-government. A policy of good-will would ultimately change Gandhiji into a co-operator. He appealed to the House to accept Pandit Motilal's amendment.

Mr. Duraiswami IYENGAR said that the success of the first Councils and especially of the Ministers in the first year of the Reforms, was very largely due to active Non-co-operation outside. He asked the Government what they had done to satisfy popular demand. He said the Government had bitterly failed in that. If they wanted the administration to be successful they must bring the two halves of the Government in the Provinces into closer touch with each other. Even the Majority had not thought it fit to transfer Land Revenue to the control of the Ministers. The Muddiman Committee could have achieved much if they had wanted to, but they failed to do so. Sir Alexander Muddiman had asked them to accept the principle of the Majority Report. The speaker asked if there were any principle in the Majority Report at all. The policy of the Government had been to obstruct the progress of the country. Let not Sir Alexander Muddiman go home with the idea that by rejecting the Majority proposals the Assembly was satisfied with the demands contained in the Minority proposals. They wanted something more and that was embodied in the amendment.

Dr. DATTA, while fully supporting the amendment, said that there were two types of minority communities in India, (1) the quantitative type and (2) the qualitative type. The strength of the Indian Christians in British India was 3 millions, whom the speaker represented. He held that the Christian minority was of both the qualitative and quantitative type. Referring to the question of the protection of minorities the speaker held that the present system would not be of any help. He thought the majority and the minority communities must come to a mutual agreement. The Government had failed to protect them during the last four years. It was only in the one province of Bihar and Orissa that one Indian Christian was appointed as Minister and that too by an Indian Lord Sinha. Englishmen, who were always for balance of power being maintained between the different communities, could not understand their conditions. Indian Christians were willing to co-operate with the other Indian communities, provided their co-operation was desired. Dyarchy was an experiment, very old in age. The Diwani and the Nizami of Lord Clive in Bengal was nothing but Dyarchy. He condemned Dyarchy as unworkable and supported the amendment.

Sir Alexander MUDDIMAN then spoke for half an hour, asking the House to realise the effect of pressing the amendment of Pandit Motilal Nehru. If that amendment was intended to be pressed from various parts of the House as their considered proposal, then he inferred that those persons had come to the conclusion that they contemplated the future constitution of India to be based entirely on Western conceptions and that they

proposed to advance on that path. The late Mr. Montagu had once told Sir Alexander that his scheme was on the lines of Western representative institutions. He (the speaker) was not prepared to say what would be the wish of the House; but he at any rate had given an opportunity to the people of India to indicate their views in that direction. If the desire of the House was to proceed on the lines of Western democratic institutions then they had cleared the ground in that respect.

The amendment of Motilal wanted a declaration from the British Government on certain points, which, with certain reservations, amounted to full Dominion Self-Government. Another point, which was made clear in the amendment, was that the present legislative bodies were not sufficient to discuss the scheme in great detail and that therefore there must be a Round Table Conference or a Convention adequately representative of Indian, European and Anglo-Indian interests.

Mr. Rangaswami Iyengar : We have no mandate to discuss in detail.

Sir Alexander : At any rate it is recognised that the present legislative bodies are insufficient for that task. A large and representative body is to be constituted which should examine the scheme in detail and submit it to this Assembly (not to the Indian Legislature, be it noted) and then presented to Parliament to be embodied in a statute. This means the repeal of the Government of India Act as it exists at present.

Mr. Jinnah : Amendment.

Sir Alexander : Does it not involve repeal ?

Mr. Jinnah : Certainly not.

Sir Alexander : But it does involve the virtual repeal of Section 84 (A) of the Act. I find the signatories to the Minority Report of the Muddiman Committee have changed their ground and state now that we could do without the Royal Commission, contemplated under Section 84 (A) of the Act. The demands made in the amendment are remarkable in that they ask for extraordinary changes and the eighth clause gives us an ultimatum. My friends here regard it as an offer. I would like to know whether this offer is to be accepted without alteration or revision, without changing one comma or dot or semi-colon. That is a point I would like to know. If we accept this amendment, what do we get in return ?

Several Members : Full co-operation. (Laughter).

Sir Alexander : The principle of the amendment is stated to be self-determination. How can we live our lives independent of outside people ? I have never heard any nation say so. It is admitted in the amendment that constitutional advance can only come from the English people, i.e., from Parliament. I am glad the members generally have refrained from using the language of threat ; but I have heard charges made that the English are robbers and thieves. Will these charges do any good to India ?

Mr. Rangachariar : It was rhetoric.

Sir Alexander Muddiman : It may have been rhetoric, but I deprecate the use of rhetoric. The English people are sometimes used to take these words at their proper meaning. Another member said the object of the House was to throw down the present Government. I leave it at that. I am quite willing to believe that this amendment has been put forward in perfectly good faith. (Hear, hear). But if I were of a suspicious nature, I would be inclined to see Machiavellian intention in it. But I am not a suspicious man. (Laughter and applause). My friend, Mr. Jinnah, is in great difficulty, for in the Minority Report he wanted an authoritative enquiry and now he is inclined to think that the Assembly can ask Parliament to accept these large proposals contained in the amendment without enquiry by a Royal Commission.

Mr. Jinnah : Sir, Lord Birkenhead has invited us to indicate the lines on which we desire our Constitution.

Sir Alexander Muddiman : What Lord Birkenhead was talking about was the development of a constitution, which will give more free scope to that imagination which is so characteristic a feature of India. Then, Sir, I do not find in the speeches, the word, "electorate" mentioned.

Pandit Motilal : It is the resolution.

Sir Alexander : I say it was not used in the speeches. I hope you will regard the electorate as of great importance. I mention this, because it is my business to point out the difficulties, with a view to remove them, and not to hinder progress. (Hear, hear). We must face the facts of the situation. The Committee, of which I was unfortunately the Chairman has made its observations on this point. I say the backward state of the electorate is one of the greatest difficulties you have to face in India. One member said that he returned with thanks the recommendations in the Majority Report. I ask, is it not sometimes wise for men asking for large concessions to say that humble doles are

not unworthy of consideration? With what can we support your demand for a declaration for full Dominion Self-Government?

Mr. Jinnah: "My speech." (Laughter).

Sir Alexander Muddiman: I want arguments which will be more effective. (Loud laughter). Lord Birkenhead has made it clear that acceleration in political progress is a matter of co-operation, that to refuse to work what you have got is not itself a direct claim for further progress, that the Government are not unsympathetic and he has therefore given you a generous offer. I earnestly hope that you will realise this position. I am willing to believe that this united demand from both Independents and Swarajists, made in perfectly good faith; but you will realise that in effect it is an ultimatum. The Government have been charged with doing nothing in connection with the question of Provincial Autonomy. The question of Provincial Autonomy was outside the scope of the Reforms Enquiry Committee. I don't agree that the investigation could be made by a Committee of that nature or any other Committee. The Government of India have recently availed themselves of the services of Sir Frederick Whyte, who has accepted our invitation to investigate and report to us on the relations between the Central and Local Governments in other parts of the world, with special reference to the relations that obtain between the Central and Provincial Governments in India. It is in this manner that much good work could be done on this question. The evidence he will collect may be useful and will be placed before the Royal Commission, whenever it is appointed. (Applause).

Pandit Motilal: Sir, I want to know if, at this stage, it is permissible for me to answer certain questions which Sir Alexander Muddiman asked by way of information.

Sir Alexander Muddiman: The members in the House are going to speak.

Pandit Motilal: If my friend does not want an answer, then I am satisfied.

Mr. Jinnadas MEHTA felt that the kind of co-operation the Government wanted was co-operation in the continuous enslavement of India. The amendment showed that they did not want to go out of the British Empire. On the other hand they wanted to elevate the Government of India itself. Its position to-day was insignificant in the Empire, impotent abroad, and tyrannical at home. If the amendment was accepted it would make the Government for the first time the real Government of the country. The Home Member was clear-headed and sincere and he wanted to come to terms with them; but with all respect to the Home Member, he would describe the Reforms Committee as a "Muddy" Committee. (Laughter). Sir Charles Innes' speech had proved again that a bureaucrat could never be a statesman.

Mr. Venkatapathi RAJU was not heard distinctly in the press gallery. He was heard to dwell on the principle of self-determination.

In urging the Government to accept Pandit Motilal's demand, Lala DUNICHAND said that both the late Mr. C. R. Das and Pandit Motilal had held out the olive branch and Gandhiji, the leader of leaders, had preached the Gospel of Love; but the Government's attitude, on the contrary, had been most unresponsive. The amendment, he assured, did not satisfy the younger section of the Swaraj Party. The Hindu and Muslim differences would not last for ever.

Mr. ANEY said that the Majority proposals were without any principle at all and to accept them was like signing a blank cheque. The speaker thought that the Minority proposals were not given proper consideration. Judgment was pronounced against them with a preconceived and biased mind. The position of the Government was like one who stood on the horns of a dilemma. They could neither say that Dyarchy was a complete success nor an utter failure. The Government did not acknowledge its utter failure for fear of that being made a plea for a change in the constitution. Indians were tired of using strong language in the House and the only way to solve the problem was to generously accept the amendment.

Sir Darcy LINDSAY, supporting the Majority Report, asked the House not to attack those from whom they sought favours (cries of "No favours"). It was not by heroics and beating of drums that Indians could justify their demands. Extravagant speeches were likely to do harm. It was no good alienating the Britishers. Lord Birkenhead had given a message of sympathy (cries of "certainly not"). It was in working the present constitution that progress lay. Any scheme they prepared must be put forward, after full consideration by all the parties in the country and not merely after a few hours' discussion among the members of the Assembly. Some members had demanded a change of heart on the part of the Government; but a little reciprocity in that direction might be beneficial. At present it was more of take than of give.

Pandit Motilal:—What have we taken?

Sir Darcy Lindsay :—Let there be no mistrust and suspicion. Let the Reforms be worked for what they are worth. A good deal of progress had been made under the Reforms and much more could be made if there was co-operation.

Mr. JOSHI said that the machinery was defective to protect the interests of the Indian masses and the working classes. Had His Majesty's Government discharged their trust by the people of India? The answer was certainly in the negative. The Government of India had almost failed to do their duty by the working classes. What was the history of the Indian Mines Act and the Factory Act? It was due to the pressure put upon the Government by the International Labour Conference. Perhaps the Workmen's Compensation Act was the only good feature. The future Constitution must be based on the suffrage of common people. Every adult person should have a vote. It was immoral to base any franchise on the possession of property, because thereby they gave greater value to property than to human life. The working classes should be represented by persons elected by their own organisation. There must be at least twelve such representatives, as demanded by the All-India Trade Union Congress. The principle of nomination should be given up. At present European officials were the servants of European capitalists and Indian officials were the servants of Indian capitalists.

Sir Alexander Muddiman :—Will the Hon'ble Member repeat his statement? Am I to understand from him that the servants of the Crown are servants of capitalists?

Mr. Joshi :—They are in effect so, Sir. If adult suffrage is introduced, then one section of the present triumvirate would be gone. Under Swaraj the masses will have to struggle to come into their own, but then the struggle will be more direct and easy. I support Pandit Motilal's amendment.

Mr. Amarnath DUTT, in supporting the amendment said Dyarchy should be abolished immediately and all reserved subjects should be transferred. The speaker thought the ideal question before the House was transference of power from Europeans to Indians.

Mr. NAIDU (Burma) thought that Pandit Motilal's amendment was premature and that Dyarchy had not had a fair trial. He supported the Government resolution.

Pandit Madan Mohan MALAVIYA in a long and forceful speech supported the amendment of Pt. Motilal. He gladly acknowledged the work done by British administrators, but affirmed that progress would have been fifty times more if there had been full Responsible Government. If Indians had been given a chance of working as coadjutors the progress would have been brighter and it would have been a matter of honour and satisfaction both to England and India.

Referring to the Majority Report of the Muddiman Committee, the Pandit emphasised the statement of Sir Mahomed Shafi, made after his retirement from service, in which he had asked for a Royal Commission. In the face of that statement the Majority Report became the Minority Report and the Government should withdraw what they called the Majority Report. There was peace in the Native States between Hindus and Muslims and for several thousands of years India knew peace as it did not know to-day. Pandit Malaviya joined in the appeal for a change of heart and said, whatever might be his opinion he had never for one moment stated that British Government in India should stop. "We have no desire to get away from the control of Parliament. The limitations mentioned in the amendment are in themselves a clear expression of our desire, that we are willing to submit to Parliament for sometime. How long it will be would depend on my English fellow subjects of His Majesty. Let the agreement between India and Britain be honourable and profitable to both. We want you to understand us and we wish to understand you." (Applause).

Sir Alexander MUDDIMAN, in summing up the debate, asked the members to take up the attitude that would be in the best interests of India. He was still in difficulty as to what the Assembly meant by the amendment, because so many constructions had been put on it. Mr. Joshi in a rash moment had said that the servants of the Crown were the representatives of the European capitalists. Let it be remembered that the administration of India after 1858, by the servants of the Crown prevented the exploitation of the country. (Cries of "question"). Sir Mahomed Shafi was now a private individual and he was free to defend his own action in respect of the Majority Report.

The amendment of Pandit Motilal was put and carried by 14 votes against 45 votes amidst loud applause.

SIMLA—9TH SEPTEMBER 1925.

## Use of Firearms.

On the 9th September, after interpellations, Mr. RANGACHARIAR moved for consideration of his Bill regulating the use of firearms in dispersing unlawful assemblies as amended by the Select Committee. He said he was a mild Brahmin from Madras, and had never been a rioter, nor was likely to be one in future. (Laughter.) He did not believe even in a threat, but still he was a human being and must take a human view of things. They could forget the Punjab wrongs but they must act in a statesman-like manner and provide against a repetition. The genesis of his Bill was a resolution moved by Mr. Sastri in March, 1921, which Sir William Vincent accepted in part. The Government accordingly brought forward a Bill but afterwards let it lapse. The speaker then tried to introduce provisions in the Bill amending the Code of Criminal Procedure, but was ruled out of order. Hence the present Bill, which had been passed by the Select Committee in an amended form and was now before the House.

As the speaker was developing his arguments, stating that Indian crowds were not armed with anything more than lathis and brickbats, the Home Member interjected: "What happened in Kohat?"

Mr. Rangachariar: Kohat is different from the rest of India.

The Home Member: The Indian law applies to Kohat.

Mr. Rangachariar replied that he was speaking of the Indian crowd as a whole. There was nothing wrong with his proposals to regulate the use of firearms. He asked the House to pass the Bill as amended by the Select Committee and not leave the law as it was.

Mr. Ranga IYER said that Britishers in India, both civil and military, held the lives of Indians very cheap. He did not wish to refer to a recent case in Simla where a rickshaw coolie was kicked to death and his ribs were broken as the case was still sub-judice.

Mr. Tonkinson: Sir, on a point of order. The hon. member cannot refer to a case still sub-judice.

The President: Order, order. The hon. member cannot refer to the case.

Mr. Ranga Iyer said he only wanted to say that Europeans held Indian lives very cheap.

Sir William BIRDWOOD, the Commander-in-Chief, read from the latest instructions relating to martial law wherein the rules provided that when a Magistrate called in military aid the officer commanding the troops was empowered to be the sole judge of the situation and act in such manner as he thought best, and that he was definitely responsible for using the minimum force. He was responsible for the safety of his command. There was no statutory obligation on him to give previous warning in all cases and he could not be prosecuted without the Government's sanction. It seemed to him that definite personal responsibility of the officer was the best possible safeguard for ensuring the proper execution of duties and that the action taken was effective and that it prevented the risk of unnecessary casualties. Under the Bill the personal responsibility of a military officer would disappear as a Magistrate alone would decide the kind of weapon to be used, and the military officer would merely act as a machine. This was risky, because officers who were experienced in the use of force knew best how much force and what weapon

to use best. Past experience in India and Egypt had shown that experienced soldiers exercised a restraining influence compared with often inexperienced, perplexed and harassed civil officials. Secondly, if a definite warning must be given invariably, then military force might not be able to save a situation of a kind where mob with torches was rushing to burn a house or factory, and troops were only a few hundred yards off and had no time to give warning. Thirdly, under Mr. Rangachariar's Bill an officer could be prosecuted without Government authority. Sir William hoped the Assembly would agree that an officer acted, not as a private individual but in the service of Crown and much against his will. It would be intolerable if such officer were to be at the caprice of any individual. He must be accorded a full measure of protection. Sir William finally held that an officer in command on the spot alone could decide the necessities of the situation and they should not tie his hands, thereby making still more arduous and complicated a situation already difficult.

Mr. VIJIARAGHAVACHARIAR, speaking from experience as a Magistrate, felt that the fact that a detailed report of firing had to be submitted to the Provincial or Central Secretariat was in itself a difficult enough task for Magistrates, because the Secretariat, unlike what the public thought, did not proceed with bias in favour of district officers, but were critical and thought the officer must have gone wrong. (Laughter.) Fear of the Secretariat made district officers hesitate before acting according to their best light. They could never regulate the matter by rules because they could not prevent the personality of a magistrate coming into play.

Mr. GORDON, a Bombay official, speaking as a district officer, not on behalf of all district officers, because they had not been granted communal representation yet—(laughter)—assured the House he would welcome any law which aimed at instilling a greater sense of responsibility among district officers, but the present Bill did not. The Bill was not only vague but perfectly useless. As regards the last clause, it covered persons who were shot. But what about those who might be injured by cavalry. (Laughter.) He appealed to the House not to be led away by racial feeling but to enact a law which would hold good, even under Swaraj rule.

Mr. JINNAH said that Field-Marshal Sir William Birdwood had put his case with the precision of a soldier and the logic of a lawyer. He however felt that the English precedent had been quoted unnecessarily. The revised King's Regulations, it was true, omitted the provision that a military office must not fire without the authority of a magistrate; but what was good for England up till 1920 should be good for India, why was there therefore the cry that they were introducing a revolutionary change? The speaker asked whether the Government did not think its magistrates competent to be trusted to take the best decision. They must be all experienced men.

The Home Member: If you can give me 24 hours' notice before a riot is to take place I shall see that an experienced Magistrate is sent.

Mr. Jinnah: I presume the magistracy must be competent to perform its duty. If you cannot have it better hand over the Government to some one else.

Continuing, he said Sections 131 and 132 of the Cr. P. C. already protected officers against prosecutions being launched against them without Government sanction. All that Mr. Rangachariar's Bill did was to make an exception in the case of use of firearms.

At this stage the closure was moved and accepted. Mr. Rangachariar maintained his position and felt that Mr. Vijiaraghavachariar had only confirmed their view that magistrates had better judgment than policemen and soldiers.

Sir Alexander MUDDIMAN said the Commander-in-Chief had given the most cogent arguments that while it was a Magistrate who called in military assistance, the moment a military officer came the manner and degree of use of military force must be determined by the military officer alone. He assured Mr. Jinnah that if the House placed sufficient funds at his disposal he would place competent magistrates everywhere. As it was, in a sub-division where he was employed in his early days there were 900,000 people under his charge. He often used to be absent from his headquarters on tour far away and if any contingency arose in his absence, did they think that the honorary magistrate could take a proper decision?

The motion for second reading was carried by 56 votes to 47.

The House then discussed in detail the clauses of the Bill. Sir Sivaswamy Aiyer moved that sub-clause 4 should specifically provide that notwithstanding anything contained in Section 132 of the Cr. P. C. an officer could be prosecuted by any injured person, or his relative, without the sanction of the Government. The House accepted the amendment by a majority of 58 to 45.

Mr. Rangachariar then moved that the Bill be passed. The Home Member opposed it. The House however passed the Bill without a division and adjourned.

### Protection for Paper

At the meeting of the Legislative Assembly on the 10TH SEPTEMBER Sir Charles INNES moved: "This Assembly recommends to the Governor-General-in-Council that assistance be given to the bamboo paper and paper pulp industry in India by the imposition, until the 31st March 1932, of a specific protective duty at the rate of one anna per pound on all printing papers (other than chrome, marble, flint, poster, and stereo) which contain less than 65 per cent. of mechanical wood pulp and on all writing papers."

Sir Charles gave the assurance that he did not want to hurry the House into accepting his proposal, but the Government felt that their proposals having been disclosed they must be put into effect, as soon as possible, to prevent a heavy import of paper before protection came into effect. He had moved his resolution first because he wanted the House to discuss the subject fully, which would not have been possible if he had brought forward his Bill only. He explained, briefly, the position of the industry and said Sir George Rainey and his colleagues perhaps thought discretion the better part of valour, and, by excluding newsprint, prevented the Press from being up against their proposals (Laughter.) But a more serious reason for excluding newsprint and other paper was that without very high protective duties cheap paper could not be excluded. The Tariff Board found that all mills manufacturing paper from sabai grass, except one at Baharanpur, had failed to prove that grass paper would be able to do without protection. Also, grass paper, though excellent for writing purposes, was not so good for printing purposes, and could meet only limited consumers. The demand for sabai grass paper did not fulfill the conditions laid down by the Fiscal Commission. Bamboo pulp paper, on the other hand, held out a prospect not only of doing away with protection and of cheap production of paper, but would meet a large demand. At present there was only one mill manufacturing from bamboo pulp, while another was to be soon started at Rajamundry. The Tariff Board suggested a specific protective duty of one anna per pound, which the Government had accepted, and he emphasised that this protection would be for specified paper in India, whether manufactured from grass or from bamboo.

But where the Board went further, said Sir Charles, was that it wanted the possibilities of cheap production of paper from bamboo to be fully explored. For this purpose it recommended that the Indian Paper Pulp Company be given either a loan of



Ra. 10 lakhs or be guaranteed a debenture to that extent to enable it to instal another machine to test the sulphite process. Similar help was to be given to the mill projected at Rajamundry to test the soda process. It was here that the Government differed from the Tariff Board.

In the case of the Indian Paper Pulp Company, said the Commerce Member, their reasons were, firstly, that this Company was not a joint stock company, but was privately owned by three or four share-holders. Its process was monopolist and by helping it the Government would be helping monopolist manufacture. Then, again, it was felt that by advancing money the Government would be placing this particular company in an advantageous position in competition with other Indian companies in the market and that such an action would be extraordinarily difficult for the Government to justify. It would be unfair. At the same time, supposing another company was floated and was anxious to try the sulphite process, it might also look to the Government to assist it in installing machines. The Government's position in such circumstances would be very difficult. The same difficulty arose with regard to the mill at Rajamundry.

The Government of India's position was very difficult, but the same was not the case with the Provincial Governments. A Provincial Government could legitimately, under the aid to Industries Act, help any industry within its territory, but for the Government of India, who had to take the part of India as a whole, to make this invidious distinction and place certain companies unfairly in a better position compared with their competitors, would have been extraordinarily difficult.

The Government of India, therefore, said Sir Charles considered an alternative and they decided that the proposed protection be granted for seven years instead of five. This, they felt, would give the two companies an advantage equivalent to the assistance proposed by the Tariff Board, and that these should be able to raise money for the purpose.

The Commerce Member admitted that the Tariff Board's proposal about a subsidy was logical, but the Government of India had to take a broader and different view of its obligations. He hoped the House would accept his resolution and enable the industry to survive. He assured them that if the conditions later on changed he would come again to the House with his proposal.

Sir Willoughby CAREY, of the Titagarh Mills, speaking on behalf of the industry, said there were at present eight mills in India which had shut down owing to the rise in exchange and chiefly because of foreign competition. The competition from Scandinavia and Germany before the War made all Indian companies lose, but during the War this was made up. After the War foreign competition had again come in and, helped by depreciated exchanges, was again underselling the Indian paper mills. He was indebted, both to the Government of India and to the Tariff Board for their proposals for protection, and, although these did not give what the industry wanted, they would accept half a loaf rather than starve, and he appealed to the House to lose no time in passing the Government's proposals on that day. He felt that the Burma Government had not given them a proper opportunity to go and establish mills there. As regards the soda process Sir Willoughby said this had already been tried by this firm, but had not proved on a large scale the success which the Tariff Board anticipated it would prove to be.

Continuing, Sir Willoughby Carey emphasised that the Tariff Board had not provided against exchange fluctuations. He hoped the Government would make a six-monthly adjustment in duty on the basis of exchange fluctuation with a view to maintaining protection at the level now proposed to be granted. He feared that the proposal might retard the growth of the paper industry from wood pulp, which was quite in abundance in India.

Mr. KELKAR moved his amendment that grass should also be specifically mentioned in the resolution giving protection to bamboo pulp. Grass and bamboo were two rival raw materials of equal value for the paper-making industry and there was no reason to ignore them. The amendment, however, was rejected by 49 votes to 40.

Mr. Rama IYENGAR moved that the Tariff Board's recommendation be accepted entirely, namely, the grant of protection for five years and assistance to the two companies to the extent of Ra. 20 lakhs under conditions imposed by the Government. Mr. Iyengar held that the Board had proposed protection because they considered that by advancing or guaranteeing Ra. 20 lakhs the Government should be able to establish the potentialities of bamboo pulp, both from the sulphite and the soda processes. This amendment too was rejected.

Mr. Naoroji DUMASIA moved that super calender paper, imported in reels, should be excluded from the protective duty as this kind of paper was not produced in India at all. Mr. B. Das and Mr. Cocke supported his amendment.

Sir Charles INNES said the Government's difficulty was that the Tariff Board considered the matter fully and did not exempt super calendar paper. He did not want any paper to be hit, but his difficulty was the Tariff Board's conclusions. He left the House to decide the matter.

The House accepted Mr. Dumasia's proposal.

Mr. Rangaswami IYENGAR moved the addition of the following rider: "This Assembly further recommends that the recommendations of the Tariff Board for the grant of a loan or subsidies to firms with a view to fully explore possibilities of the manufacture of paper from bamboo by sulphite, or soda, or other process should be accepted in principle and that further investigations be made in accordance with the recommendations of the Tariff Board as to the most effective manner in which assistance may be given to all companies or firms that are prepared to explore the possibilities on a commercial scale."

Sir Basil BLACKETT said the Assembly had already rejected Mr. Rama Iyengar's proposition which raised the same issue. He gave the assurance that the observations in the statement of objects and reasons did not pronounce a decision on the general policy of a subsidy and loan but had only rejected the grant of assistance in the manner proposed by the Tariff Board, nor was the observation in the statement of objects and reasons any censure on the policy followed by Ministers in the Transferred field. The Government had not at all considered the broad issue of subsidies and the House should not, without fully considering this issue, commit itself to any particular policy.

Mr. Rangaswami Iyengar's amendment was rejected by 52 votes to 36. The debate had not concluded when the House adjourned.

At the next sitting of the Assembly on the 14TH SEPTEMBER Mr. JOSHI moved that the protection, as proposed, be granted provided—(1) That the company receiving assistance shall produce a certificate from any officer appointed by the Government of India for that purpose that the labour conditions prevailing in the works of the company are satisfactory; (2) that the Government of India are given such representation on the board of directors of every company receiving the assistance as the Government of India may consider adequate; (3) that the company receiving the assistance shall undertake to pay an amount to the Government of India out of the balance which may remain of the profits after the distribution of 8 per cent. dividend to the shareholders of the company, equal to the amount which the company may have received through the rise in prices of paper due to the imposition of the protective duty.

Mr. Joshi laid stress on the fact that he was actuated by a desire to safeguard the interests of the taxpayer and the interests of labourers.

Sir Charles INNES, while admiring the pertinacity and sincerity of Mr. Joshi, opposed the amendment as laying down conditions which could not in practice be worked. By appointing officers they would be merely appointing spies, whose presence would disturb the relations between employers and employed.

Mr. Devaki Prasad SINHA thought there was nothing revolutionary in the amendment, which only attempted to concede to the tax-payers what was due to them.

The amendment was lost by 58 votes to 37. The resolution was carried.

Sir Charles INNES then moved for leave to introduce the Bill providing for the fostering and development of the bamboo paper industry in British India. In the statement of objects and reasons it was stated that the Government accepted the Tariff Board's proposal to impose a protective duty of one anna per pound on printing paper and writing paper as specified in the schedule. The Government, however, considered that as the grant of loans or subsidies in the manner suggested by the Board was open to grave objections, the period for which protection should be granted should be seven years instead of five years, as proposed. Sir Charles Innes did not make a speech in introducing the Bill.

Mr. CHAMAN LAL opposed the introduction of the Bill. He said that the Tariff Board in their report had laid down that these paper mills did not fulfil the conditions laid down by the Fiscal Commission. The industry was not an infant one and, moreover most of the mills were European-owned.

Despite opposition, the Bill was then introduced. In asking the Assembly to take the Bill into consideration, Sir Charles INNES said it was nothing but a corollary to the resolution passed a few minutes before.

Mr. CHAMAN LAL opposed consideration of the Bill. The paper industry, he said, had made tremendous profits during the War. The trouble in the industry was due to mismanagement and bad technical knowledge. Most of the mills were either European or European-managed.

Sir Charles INNES, in moving that the Bill be passed, referred to Mr. Dumasia's amendment that the protective duty be not imposed on super calendered paper imported in reels and said that this matter would be considered by the Government in consultation with the Advisory Committee attached to the Department of Commerce, and if it was found that protection should not be given to it, then the Government would bring forward an amendment during the next session. If the decision was for a protective duty then they would report to the Assembly. He made this announcement after consulting the members opposite, especially because he had received telegrams from Allahabad and Madras saying that if this amendment for exclusion from the protective duty was made to super-calendered paper it would place some papers in an unfair position in their competition with the "Times of India Illustrated Weekly."

Mr. M. K. ACHARYA regretted that the Government had accepted the suggestion that they should give financial help to such industries as required it. It was a pity that none of the Rs. 21 lakhs that the Government would get by protective duties by practically taxing education would be used to give financial assistance to any struggling company.

Sir Hari Singh GOUR contended that the industry as a whole should get protection and not merely the bamboo paper industry.

Sir Basil BLACKETT maintained that the Bill was framed in accordance with the Tariff Board's recommendations. It did not commit the Government to give protection to the paper industry in general, but only to the bamboo paper industry. The Government would not be justified in making a grant, or a loan, or a subsidy to any particular paper mill. The Rs. 21 lakhs which Mr. Acharya expected would come to the Government revenue might be used in relieving provincial contributions, and so that extent there might be a stimulus given to education. The Bill was then passed.

### Criminal Procedure Code.

Sir Alexander MUDDIMAN then moved that the Bill further to amend the Code of Criminal Procedure, 1923, be taken into consideration. The Home Member said that since the passing of the Criminal Procedure Code Amendment Act certain difficulties had been brought to light by the Local Governments and judicial authorities. The provisions of the Bill were to remedy those defects, which were all of a minor character and there was no substance in them. The House was well aware what Section 109 was. Prior to the amendment of 1923 the effect of section 109 of the Code was that courts had discretion to award either simple or rigorous imprisonment in case of proceedings being taken against anyone. The effect of the amendment of 1923 was to take away that discretion and award only simple imprisonment. The present Bill attempted to restore it. The speaker said several Local Governments had represented that most of the persons against whom proceedings were taken under Section 109 were men for whom simple imprisonment was quite unsuitable. Concluding, Sir Alexander wished that either the House would pass the Bill as proposed, or would reject it.

The House rejected the amendment of Mr. Amarnath DUTT, that the Bill be referred to a Select Committee which the Home Member had opposed.

Mr. RANGACHARIAR objected to Clause 2 by which the Govt. wanted to restore the powers to send to rigorous imprisonment persons who were unable to find security because of possessing no ostensible means of livelihood. It was improper that any civilised government should rigorously confine persons simply because they had no ostensible means of livelihood. Only two years ago this Assembly removed the discretion from the magistrates to send persons to rigorous imprisonment and no necessity had been shown for the restoration of the discretion.

Sir Hari Singh Gour supported Mr. Rangachariar in opposing the clause. Mr. Tonkinson pointed out that the power to send a person to rigorous imprisonment would be used only at the discretion of the Magistrate and not necessarily at all times. Sir Henry Stanyon supported the Bill. Mr. Venkatapati Raju and Mr. Belvi opposed the removal of the discretion.

Sir Alexander MUDDIMAN asked whether the Assembly was going to turn down every measure intended to support law and order. If so, let it say so. The change in the law removing discretion was made without consulting Local Governments, and now not only all Local Governments but jail officers and executive officers were unanimous that discretion must be restored. If the Assembly was not going to give discretion to the Magistrates then it was far better to remove Section 109 itself from the Code. There was no political flavour about the proposed change. It was moved solely with a desire to defend the hearths and homes of the people. Let the Assembly consider this point carefully.

Clause 2 of the Bill was then pressed and lost by 5½ votes to 51. Sir Alexander Muddiman did not move for the passage of the Bill as amended.

The Assembly next considered and passed the Bill further to amend the INDIAN LIMITATION ACT, as reported by the Select Committee, and the Bill to amend the law relating to TESTAMENTARY SUCCESSION as passed by the Council of State.

### ✓ Bounty for Steel Industry.

On the 15TH SEPTEMBER, the Assembly re-assembling, Sir Charles INNES moved his resolution asking the House to agree to the grant of a maximum of Rs. 60 lakhs bounty to the steel industry up to the 31st March, 1927, of which Rs. 18½ lakhs are to be paid up to the 31st March, 1926. His resolution, he said, proposed further assistance till March, 1927, when the Steel Protection Act expired and after which the whole question would be reconsidered. Sir Charles confessed that the recommendations of the Tariff Board came to the Government with a shock. Of course, the Tariff Board was logical in its views, but it did not take into account several considerations which the Government must take. He recalled that when the Government granted a bounty of Rs. 50 lakhs the Government were more generous than the proposal of the Tariff Board. He claimed that they had succeeded in extricating the industry from a serious position, and the Chairman of the Tata Iron and Steel Company had admitted it.

There was a considerable increase in consumption and large stocks of the Company had been cleared up. The policy of Protection had proved effective and as it continued to become effective there was bound to be a fall in the receipts under Customs. He assured the House that a modification of the Board's proposal did not in the least mean that the Government had weakened in its policy of protecting the steel industry.

Sir Charles reminded the House that the bounties were a very much more generous form of assistance than an increase in duties. His reasons for modification of the Board's proposals were, firstly, that the Board's estimate of receipts was only an estimate, and that in any case a margin of Rs. 24 lakhs was too small, considering other commitments, as they could not be too generous to one firm at the expense of other legitimate claimants upon them. But the most important reason was one which the Tariff Board could not take into account, namely, that bounties were rather a demoralising form

of assistance and made a firm rely too much upon the Government and too little upon its own efforts. He admitted he was treading delicate ground, but he recalled that he made an appeal to the Tata Company in May, 1924, and repeated it last January in asking the Company to co-operate with the Government and the Legislature. He hoped the Chairman of the Tata Company would bear him out when he said there had been hitherto no response to that appeal, and it was this feature which worried the speaker most.

The House must remember that two-thirds of the capital of this Company was in the form of second preference shares, the interest on which was cumulative. For the past three years about Rs. 50 lakhs of interest had been accumulated, and there was a load of debt amounting to over Rs. 1½ crores. The House must send a message to the Tata Iron and Steel Company that it expected the Company to take the matter in hand and fully co-operate in putting the industry on a sound and healthy basis. They had placed a heavy burden upon the country. The Tariff Board estimated that burden at about Rs. 1½ crores. In addition to that they had paid to this one Company Rs. 2,03 lakhs during the life of the Act. He thought they had been very generous to the Company. His proposal was to last the life of the Steel Protection Act.

Sir Purushotamdas THAKURDAS challenged the Government openly to state its view, and suggested that the whole matter of the company's affairs be referred to a committee of the House.

Sir Basil BLACKETT said the Government and the House were anxious that the Indian steel industry should be built up. They were prepared to allow a reasonable return on capital actually engaged in the production of steel, but the tax-payer could not be expected to pay for interest on second preference shares which had accumulated.

Sir Charles Innes's resolution was carried.

#### Railway Account and Audit

There was a heated discussion over Mr. Sim's proposal to separate audit from accounts on the East Indian Railway as an experimental measure. Mr. SIM said his proposal was sequel to the separation of railway accounts. It would make the spending authorities responsible for the accounts, and they would have an independent audit which they never had before.

Mr. KELKAR'S motion for the adjournment of the discussion to the Delhi session was supported by Mr. Neogy and Mr. Rangaswami Iyengar, but was rejected by 59 votes to 38 and Mr. Sim's resolution was finally passed by 67 votes to 14, after the acceptance of amendments specifically bringing the accounts staff under the control of the Financial Commissioner, and providing that difference of opinions between the accounts officer and the Agent be reported to the Standing Finance Committee on Railways.

All supplementary demands were granted except the one moved by Sir Basil Blackett under Stamps, which was rejected last March and was again rejected on this day, the majority being of opinion that it should be charged to capital and not to revenue. The Oudh Courts Supplementary Bill was also passed.

#### Disqualification of Electors.

On the 16TH SEPTEMBER the Assembly discussed two non-official resolutions and carried them both in the face of Government opposition. The

first resolution was moved by Pandit Shamlal NEHRU and was carried by a majority of one vote after the acceptance of an amendment by Mr. Rangaswami Iyengar. The resolution in its amended form urged the removal of all restrictions against persons who had undergone imprisonment for criminal offences from standing as candidates for election to the Legislatures. Pandit Shamlal said that if the Government really wanted co-operation, it should remove the bar. Mr. Rangaswami Iyengar urged the removal of the restrictions which at present fettered the right of constituencies to elect their representatives. He wanted India to have the same practice as England.

Prince Akram Hussain, Colonel Crawford and several other members opposed the resolution, while several speakers supported the motion.

The Home Member said he was perfectly ready to see all those who were anxious to co-operate by constitutional methods come into the Legislature. Most countries had disqualifying provisions, indeed the conviction of a person for breaking the law was *prima facie* evidence that he was not a desirable person, but he admitted that there were special conditions existing at present, and assured the House that the Government, by altering the rules raising the limit to one year, and allowing the Local Governments to use their discretion, had done all it reasonably could to meet the wishes of the House. He, personally, would have preferred some automatic provision rather than the discretionary powers of Local Governments, but it was impossible to do that and to define the offences involving moral turpitude.

#### Suspension of Cotton Excise duty.

The second resolution discussed was moved by Sir Purshotamdas THAKURDAS who suggested suspending the collection of the Cotton Excise Duty for the rest of the financial year. He said the fact that prevention was better than cure, that the condition of the industry was very critical and that over 30,000 millhands were now out of employment, should make the Govt. realise the gravity of the situation and assist the industry. If assistance was not given, it would only prove that the only way they could obtain relief was from a national government. As regarded the financial aspect of the question, he believed that the Government had more than adequately strengthened their finances, but the will to use them to abolish the excise duty was wanting.

Sir Basil BLACKET, on behalf of the Government, explained the attitude of the Government and advised the Assembly to have the debate adjourned. Suspension of the duty, he said, was equivalent to abolition of the duty. It would be difficult to re-impose the duty in April if it was suspended now. It was not practical politics. There was a large staff employed at a cost of Rs. 70,000 to Rs. 80,000 on collection of the duty. What were they to do when the duty was suspended? If the duty were suspended it would mean a loss of Rs. 80 to Rs. 90 lakhs and the millowners, when once the duty was suspended, would produce so much and stop producing after April. Thereby there would be a loss of Rs. 50 lakhs in the Budget for next year. The Government could not find money in the present year's Budget to suspend the collection of the duty in the middle of the financial year. Moreover, if there was a surplus there might be demands for remission of Provincial Contributions and such other demands. Neither the Government nor the Assembly could conceivably, however serious their financial situation might be, short of a real calamity, re-impose this duty next April if it was suspended now. If the Assembly wanted a subsidy for the cotton mill industry then let it say so, but not bring in this indirect and round-about manner a motion

for the virtual abolition of the cotton excise duty. If the Assembly passed the resolution the Government would treat it as a strongly expressed desire of the House for consideration of the question of the abolition of the duty if financial considerations permitted at the time of the next Budget.

Mr. Kasturbhai LALBHAI, supporting the resolution, said the time had passed when lip sympathy could alleviate the situation. Unless something was done now a grave situation would arise which would be beyond remedy. As to the question of referring the matter to the Tariff Board, he said the matter was fully considered by the Fiscal Commission. Suggestions like these were intended to postpone help.

Sir Charles INNES pointed out that the analogy of protection given to the steel industry did not apply because it was only for one firm, whereas the cotton mill industry contained no less than 150 mills all over India. He doubted very much if the suspension of the cotton excise duty would touch the fringe of the real problem facing the cotton mills. It was not practical politics to re-impose the duty in April when once it was suspended. The Commerce Member asked why the millowners shirked an enquiry of the whole position by the Tariff Board. He suspected the millowners had not a strong case to make out.

Sir PURSHOTAMDAS replied that he wanted not a favour but justice and their birthright on behalf of the textile industry of India. When the millowners were not anxious for an enquiry why were the Government anxious for an enquiry? The attitude of the Government of India clearly showed that the textile industry could not expect relief. It was no use appealing to Madras and the Punjab benches and hinting that if the duty was suspended there would be no remission in Provincial Contributions. But he assured the Finance Member that next March the Assembly would extract from the Finance Member abolition of the cotton excise duty.

Sir Basil Blackett said he had referred to an enquiry by the Tariff Board because it was the Millowners' Association which had suggested the imposition of a higher import duty on yarn and cloth below 30 counts on grounds of protection.

Sir Purshotamdas Thakurdas's resolution was put and carried by 57 votes to 32.

On the 17TH SEPTEMBER, the last day of the session, the Assembly, though faced with an official agenda of considerable length, was not in a mood to discuss controversial issues. Accordingly, the discussion of the Home Member's resolution regarding the Standing Committees on Hindu and Mahomedan law, as recommended by the Muddiman Committee, and the consideration of the Trade Union Bill, as amended by the Select Committee, were adjourned to the Delhi session.

Sir Bhupendranath Mitra and Mr. Chartres opposed the adjournment motion as they considered it to be of a dilatory character.

Mr. Joshi, Mr. D. P. Sinha and Mr. Chaman Lal considered the time too short and the attendance too small to consider such an important question.

The House passed the Home Member's resolution accepting the Muddiman Committee's recommendation in respect of female franchise, and also accepted the Commerce Member's resolution proposing an amendment of the Steel Protection Act so as to empower the Government to pay by way of bounties on wagons a sum not exceeding Rs. 21 lakhs during the three

financial years commencing the 1st April, 1924, instead of a sum not exceeding Rs. 7 lakhs in each of these financial years.

**Trade Taxation Bill.**

Sir Basil Blackett next introduced the Trading Taxation Bill. One of the resolutions of the Imperial Economic Conference, 1923, was to the effect that the several Parliaments of Great Britain, the Dominions, and India should be invited to enact at the earliest opportunity a declaration that the general and particular provisions of its Acts or Ordinances imposing taxation shall be deemed to apply to any commercial or industrial enterprise carried on by or on behalf of any other such Governments, in the same manner in all respects as if it were carried on by or on behalf of a subject of the British Crown. This resolution has been accepted by the Government of India, and the present Bill has been drawn up in order to give effect to it. The Bill follows, with suitable modifications, the wording of Section 25 of the British Finance Act, 1925.

The House disposed of formal business by agreeing to amendments made by the Council of State in the Age of Consent Bill and the Coal Grading Bill, and also passed the following Bill as passed by the Council of State:—Criminal Tribes Bill, Cotton Transport Bill, Madras, Bengal and Bombay Children's Act Supplementary Bill, Ports Bill, and the Repealing Bill.

Sir B. N. Mitra introduced a Bill amending the Factories Act to carry out administrative improvements. The House agreed to circulate the Bill.

The Finance Member moved for the grant of Rs. 17 lakhs for capital outlay on the Security Printing Press now charged to capital according to the Assembly's wishes. He made it clear that charging to capital this particular expenditure should in no way be taken to infringe the right of the Government to follow the policy which had so far been in practice. The House accepted the motion.

The Assembly adjourned sine die.

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# The Council of State

DELHI—22ND JANUARY 1925

The Council of State held the first sitting of the winter session on the 22nd January at Metcalfe House, Delhi. There was a fairly large attendance of members. Sir Henry Moncrieff-Smith, the new President, occupied the chair.

Sir Narasimha SARMA, leader of the House, accorded a cordial welcome to Sir Henry Moncrieff-Smith with whom he had been associated for a number of years, both as a non-official and as an official. A series of speeches followed from all sections of the House endorsing the Law Member's observations.

Mr. SETHNA then moved a resolution expressing "profound sorrow at the sad and premature death of Mr. Montagu, who as Under-Secretary and later as Secretary of State had rendered very valuable and distinguished service to India.

Mr. SETHNA next moved that the Government of India should urge upon the British Government that effect be given to the recommendation of the Lytton Committee that the existing bar upon the admission of Indian students to the University Officers' Training Corps (in England) should be removed. Lord Rawlinson, on behalf of the Government, accepted the resolution which was carried.

## The Provident Fund Bill

On the 27TH JANUARY an interesting discussion took place on a formal motion moved by Mr. CHERAR (Home Secretary) asking for the concurrence of the Council to the alterations made by the Legislative Assembly in September last in the Bill passed by the Council of State relating to the Government and other Provident Funds.

When the Bill was passed in the Council in September last there was a provision which enabled the employer to deduct from the amount payable to the employee certain sums of money. It was laid down that in the case of contributory provident funds, that is, in cases of funds in which both the employer and the employee contributed, the employer "can deduct (a) any amount due under a liability incurred by him (employer) but not exceeding the total amount of the employer's contributions credited to the account of the employee and of any interest or increment which has accrued on such contributions, and (b) where the employee has been dismissed from employment, or where he resigns service within five years of employment, the whole or any part of the amount of any such contributions (paid by employer), interest or increment."

When the Bill went down to the Legislative Assembly the non-officials deleted the second clause, that is, the clause which enables the employer to forfeit the provident fund contribution of the employer in the case of dismissal or resignation of the employee before five years' service. The main objection advanced by non-officials in the Assembly against this provision was that it would be unjust on the part of an employer to give the employee a double punishment, not only of dismissal (sometimes without sufficient reasons) but also of forfeiture of the amount earned for work. It was further pointed out by non-officials in the Assembly that labourers were sometimes dismissed because of their joining labour unions. The Assembly, for these reasons, deleted the second clause.

Mr. CHADWICK (Secretary in Department of Commerce and Railways), in a spirited speech, urged the restoration of this clause, without which, he said, a good Bill would become a bad law. Contributory provident funds were largely started by railway administrations in the interests of their employees but for obscure reasons the Assembly rejected the sound provision in the original Bill. Employees were dismissed only after a good case had been found against them. No one, he contended, was dismissed arbitrarily by a railway administration and if any one was dismissed arbitrarily the remedy must be found, not through a Bill of this description, but by other means. Last year eight railways disbursed Rs. 82 and one-fourth lakhs to their employees and only Rs. 25,000 was withheld on account of dismissal and misconduct, like theft and interference with women passengers.

The Council adopted Mr. Chadwick's amendment amid a few dissentient voices and thereby restored the provision in the original Bill.

#### Encouragement of Indian Art

On the 28TH JANUARY the Council of State discussed Mr. Haroon Jaffer's resolution asking for the immediate appointment of a committee to formulate a scheme of scholarships and prizes for Indian art students engaged in painting, sculpture, architecture and artistic crafts. The mover said his resolution was really nothing but a translation into practical form of suggestions made by Sir George Lloyd who did so much for Indian Art in connection with the Bombay School of Art. Sir George Lloyd has suggested that the Central Government should establish a "Prize of Delhi" and that students qualifying in sculpture and painting, and perhaps in architecture and artistic crafts, as winner of the Prize should be admitted to a central institution, a kind of Villa Medici, there to reap the fullest advantages of a period of three or four years' painting and modelling.

Mr. SETHNA moved an amendment as an addition to the resolution, suggesting that a central institution be opened where scholarship-holders and prize-men may continue their work for a period of three or four years.

Mr. A. B. LEY (Industries Department Secretary) said that the attitude of the Government was one of extreme sympathy with the proposals but the Government could not accept the resolution as it stood. The amendment completely altered the aspect of the original resolution and the Government could not commit itself one way or the other on this question with such short notice.

After further discussion the resolution and the amendment were boiled down to the proposition that the Government should consider the advisability of formulating a scheme of scholarships and prizes for Indian art students engaged in painting, sculpture, architecture and artistic crafts and to establish a central institution where scholarship-holders and prizemen may continue their work for a period of three or four years. This proposition was accepted by the Government and carried unanimously.

#### Proper Currency Act Amendment.

On the 5TH FEBRUARY the Council of State, passed without amendment two Bills which came up from the Legislative Assembly. The first was the Bill to amend the Paper Currency Act, 1923, in order to raise the permissible limit of investment in the Currency Reserve from Rs. 85 crores to Rs. 100 crores, so that additional currency might be provided with a view to prevent excessive momentary stringency during any busy trade season. Mr. McWATERS (Finance Secretary), who moved for consideration of the Bill, traversed mainly the arguments that had been advanced by Sir Basil Blackett in the Assembly. He emphasised that the Bill was beneficial, necessary and a safe measure, intended to deal with the increase in trade that was expected as a result of four consecutive good monsoons. He added that he recognised that ideas of currency reform were in the air, but the fundamental questions of this reform could not be rushed, and, as His Excellency the Viceroy pointed out in his opening speech. If world conditions continued to improve as they had been improving for some time past then the time was not far distant when an authoritative committee would be appointed to recommend the lines of currency reform. The Bill was taken into consideration and passed.

#### Workmen's Breach of Contract.

On the motion of Mr. CRERAR, the Council took into consideration the Bill to repeal certain enactments whereby breaches of contract by labourers are punishable under the Criminal Law. Mr. Crerar emphasised that the Bill was brought forward in fulfilment of the pledge given by the Government to the Assembly on two motions and with the approval of the Secretary of State. This Bill too was taken into consideration and passed.

#### Natal Boroughs Ordinance.

On the 11TH FEBRUARY the Council of State re-assembled to dispose of two non-official resolutions. The first resolution was in the name of Mr. SETHNA urging the expediency of taking steps to secure the annulment of the Natal Boroughs Ordinance to which assent had been given by the Governor-General of South Africa. Mr. Sethna did not move the resolution and in withdrawing it he more or less repeated the explanation given by Sir Devaprasad Sarbadhikari a few days ago. Mr. Sethna, who was himself a member of the deputation to the Viceroy said he returned quite convinced that the Government of India were in right earnest and he felt confident that the Viceroy and his Government would leave no stone unturned till they brought about an honourable settlement of this vexed question.

### Military Training for Indians.

Raja Sir Rampal SINGH then moved his resolution recommending to the Government (a) to raise the strength of the University Training Corps so as to meet the demands of the Universities of the different Provinces for giving military training to such of their students as are physically fit, and, (b) to extend to members of the University Training Corps the same privileges as are being enjoyed by members of the Auxiliary Force.

In moving his resolution Raja Sir Rampal Singh said the various enactments passed from time to time for the formation of volunteer corps did not debar Indians from admission into those corps but in practice only very few Indians got admission. This uncalled for obstruction by executive orders on racial considerations was strongly felt by Indians. There were no avenues for Indians of education, status and position to get military training of any kind. Only enrolment in the cavalry and infantry branches of the service and non-commissioned and commissioned ranks of the second order were open to a certain class and that too on inadequate pay and with no status. The Escher Committee had laid stress on the importance of encouraging University Corps and even the Provincial Governments were not averse to their development. The Universities had become conscious of their duties towards their students as regards military training. In the United Provinces the Allahabad, Benares and Aligarh Universities had expressed their readiness to introduce compulsory training. It would be unstatesmanlike on the part of the Government not to encourage and foster the very legitimate aspirations of young educated Indians for the defence of their country. The Government was pledged to carry out a scheme of second line defence and there should be no half-heartedness in carrying it out. It was an admitted fact that the University Training Corps did not enjoy the same privileges, rights and concessions as did the Auxiliary Force. He therefore appealed to the Government to accept his recommendations.

His Excellency Lord RAWLINSON said he found himself in agreement with some of the remarks of Raja Sir Rampal Singh. All the points which he had raised formed some of the subjects gone into by the Auxiliary and Territorial Force Committee, presided over by Sir John Shea, and a prominent member of which was Sir Sivaswamy Aiyer. This Committee had signed an unanimous report about a fortnight ago which would be published on the 24th February. Concluding, he said; "I cannot tell you what the report contains and what the Government is going to do. I should like to accept the resolution but I cannot do it now. I am reluctant at the same time to oppose it, knowing as I do that the desires of Raja Sir Rampal Singh and his supporters are met to a very large extent by the proposals of the Committee. I therefore would appeal to you to have the discussion postponed till after the report is published.

Eventually the discussion was postponed till a fortnight after publication of the Report.

On the 16TH FEBRUARY Mr. YAMIN KHAN moved for leave to introduce a Bill to amend the Interest Act, in order to provide that no creditor, whether of a secured or unsecured loan, shall be entitled to recover by suit interest exceeding the principal amount originally lent or due at the date of suit, whichever is less, and that this provision shall not apply to usufructuary mortgages.

Mr. Crerar, Home Secretary opposed the introduction of the Bill.

The motion for leave to introduce the Bill was lost, 21 voting against it and 16 for it.

### Ganges Water Enquiry

Sir Devaprasad SARBADHIKARI moved for the appointment of a Committee of members of both the Council of State and the Assembly and of officials to examine and report on the question of the supply of Ganges water at and below Narora and to advise as to the necessary quantity of unobstructed water that should be allowed to escape at Narora in order to meet fully the requirements of the situation created by the pilgrim traffic. Sir Devaprasad detailed the various stages of the controversy and emphasised the importance of an early solution from the Hindu point of view. The importance of this question was admitted by Lord Hardinge and reiterated by Lord Meston while he was Lieutenant-Governor of the United Provinces. The subject was in the hands of the Government of India as the Ganges passed through three Provinces.

Mr. LEY, Industries Secretary, opposed the resolution. He pointed out that the United Provinces Government had fully considered the genuine grievances of the Hindu community and appointed a committee, which reported that a certain greater percentage of water should be allowed for the use of pilgrims. A large portion of the cultivating population and some public bodies resident near Narora protested against this decision, which to them meant loss of Rs. 12 lakhs, but the United Provinces Government despite the loss, agreed to the conclusions of the committee in order to satisfy Hindu

feeling. The Government of India did not propose to interfere with that decision because they were in complete agreement with it.

The resolution was put and declared carried, the Government not claiming a division.

#### Soldiers' Litigation Bill

On the 17TH FEBRUARY, Mr. CRERAR moved the consideration of the Indian Soldiers' Litigation Bill as passed by the Legislative Assembly a few days ago. After explaining the changes accepted by the Assembly in the Soldiers' Litigation Act the Home Secretary pointed out that the general purpose was to remove defects and doubts contained in the measure and to bring it into conformity with the Limitation Act.

The Council without discussion agreed changes. This acceptance will now be intimated to the Assembly, and the Bill will be taken as passed because the Bill was originally passed in this Council and sent down to the Assembly, where a select committee was appointed which recommended the changes now approved by both the Houses.

On the motion of Mr. CHADWICK (Commerce Secretary) the Council agreed to the introduction of the Bill to amend the Ports Act of 1908 regulating the bunkering of vessels with liquid fuel within port limits.

Khan Bahadur Ebrahim Haroon JAFFER then moved a resolution recommending full investigation at an early date into the mineral resources of Chota Nagpur and urging the advisability of establishing in that district a school or institute of mining.

Mr. LEY (Industries Secretary) assured the Council that the Director of Geological Survey had in his mind the completion of survey in Chota Nagpur district. There was therefore no special investigation necessary at this stage.

In view of Mr. Ley's speech Mr. Karandikar suggested an amendment to the resolution, which was supported by Sir Maneckjee Dadabhoy that the first portion of the resolution relating to investigation be dropped. The second portion about establishing a school was carried unanimously.

On the 23RD FEBRUARY Khan Bahadur Ebrahim Haroon JAFFER moved that the Provincial Governments be asked to investigate the best means of dealing quickly and adequately with mental defectives, particularly of a minor and curable kind.

Sir Devaprasad Sarbadhikari and Sir Maneckjee Dadabhoy gave wholehearted support to the resolution.

Mr. Crerar, on behalf of the Government of India, undertook to communicate to Local Governments, the proceedings on this resolution, with a strong note of sympathy.

Khan Bahadur Ebrahim Haroon Jaffer thanked members for their support of the resolution, and, in view of the Government's assurance and undertaking to circulate the report of the debate, he withdrew the resolution.

#### Criminal Law Amendment Repeal Bill.

Mr. KARANDIKAR then moved for the consideration of the Bill passed by the Assembly in September last at the instance of Sir Hari Singh Gour, repealing Part II of the Criminal Law Amendment Act of 1908. It will be remembered that Part I of this Act was repealed in pursuance of the report of the Repressive Laws Committee. An attempt was made by Lala Girdharilal Agarwala in the first Assembly to get the second part also repealed, but it failed. Sir Hari Singh Gour induced the Assembly to pass this repealing Bill in the last Simla session.

Mr. Karandikar said that under this Act the Government could declare any association unlawful and there was no provision enabling the association to appeal and get justice. The Act was passed in the old Imperial Legislative Council in 1908, when Sir Maneckjee Dadabhoy had urged that the operation of the Act should be for a stated period. Sir Rash Behari Ghose had urged that it was for the Government to show that a certain association was unlawful. After 1911 for some time no instance occurred in which the Act was made applicable. From 1914 to 1918 the Defects of India Act was put into force. Then came the Reforms, which it was thought would be heralded under favourable conditions. The Repressive Laws Committee recommended the repeal of this Act, but while the first part of it was repealed the second was allowed to remain on the statute book. It was a slur on the administration of justice and the Council of State must support the Assembly's action. The Repressive Laws Committee had recommended that it might be possible for the Government to undertake the necessary legislation to repeal this Act during the Delhi session of 1922. Its repeal must be expedited with the change in the political situation. There might be instances here and there requiring the use of this law, but the country as a whole was quiet and should not be stigmatised by the continuance of this enactment.

Sir Alexander MUDDIMAN, who was present to take part in the debate on behalf of Government opposed the motion. Mr. Karandikar, he said, had referred to the early history of this enactment, but he did not mention the fact that the old Assembly in July, 1923, rejected a similar motion of Lala Girdharial Agarwala. If the Government could not maintain peace by the ordinary law then it must maintain it by special laws. No Government could afford to adopt a policy of drift and allow the situation to grow into proportions that would require the application of martial law. The Act to which Mr. Karandikar objected was meant to be used only against those associations which encouraged acts of violence or intimidation, and whose existence constituted a danger to the public peace. No one could object to such a law. Although a Local Government might in some cases go wrong, the situation in India rendered it necessary to retain a measure of this kind on the statute book. One of the most striking proofs of this was found in the fact that within four days of the Assembly's action in passing Sir Hari Singh Gour's repealing Bill, a situation arose in Burma in connection with a boycott movement necessitating the application of this measure.

Moreover, as the Repressive Laws Committee itself reported, there was definite evidence of certain organisations encouraging acts of violence and intimidation and in 1922 it was found necessary in Delhi to declare certain associations of volunteers unlawful, as they had resorted to violence and intimidation and obstructed the funeral of a citizen. The Committee regretted that they could not at that juncture agree to the repeal of Part II of the Act. It might be argued by some that since then the position had improved, but everyone knew the situation in Bengal and was conversant with the grisly record of crimes in that province, where matters had come to a head. Moreover there was a dangerous revolutionary conspiracy in India and there was a real danger to India from abroad of Bolsheviks spreading seditious literature, poisoning the minds of peaceful, and lawabiding citizens. The situation in Burma and in the Punjab was such that the Government could not possibly agree to the repeal of this Act. If this Act was repealed then these unlawful associations would usurp the powers of the Government and prevent peaceful citizens from pursuing their lawful avocations. At a time when the Government were dealing with such difficult situations they required the support of the Council, but this Bill was against the interests of law and order and the Council of State should reject it.

Mr. KHAPARDE moved the reference of the Bill to Select Committee, with a view to incorporate in the existing law a provision so that the application of that law might be justified before the Standing Advisory Committee after a certain period of time. Such a provision would not only enable the Government to apply the law on all necessary occasions but would not only enable the people to feel sure that it was being rightly applied. This amendment was put and lost.

A number of members approved the motion but Mr. Karandikar said he maintained his attitude because he was convinced that the mistake of 1908 must now be rectified. He would not take the discredit of withdrawing the Bill but would press the motion to a vote, because it was time that their House should declare itself on the question, after the Assembly had passed the Bill.

Sir Alexander MUDDIMAN emphasised that if this Bill was pressed and passed then the Governor-General must veto it. This was not a mere resolution recommending repeal of the law but it was legislation and he hoped the Council would reject the measure as advised by Sir Dinsha Wacha, one who had promoted liberal ideals in this country for a long period.

The motion for consideration of the Bill was put and lost, six voting for and 26 voting against it.

## General Discussion of the Budget

On the 24TH FEBRUARY the Council of State devoted to the general discussion of the Railway budget. Sir Charles Innes was present in the Council to "exercise the right of reply to the debate".

Mr. BELL, Bengal Chamber of Commerce, was the first to initiate the discussion. He welcomed separation of the Railway finance from general finance as of great advantage in that it would enable railways to be run as a commercial proposition. He wanted to know the detailed information on the reduction of four crores in the value of stores which was said to have increased the capital expenditure to that extent. This appeared to be an unusual term and further explanation must be forthcoming for the huge figure.

Mr. Bell approved of the increased expenditure in the coming year on rolling stocks and marshalling yards and quoted the evidence tendered before the Coal Committee in

support of the necessity for extension and remodelling of yards, if the railways were to be run to the convenience of the public. But he regretted that the necessity for remodelling the marshalling yards in Behar and Orissa had not been considered in this connection. At the same time he was glad that the Railway Board had dealt generously with regard to doubling of lines on E. I. Railway and with regard to expansion and improvement of Railway workshops in several parts of India, because no system of transport could be run without great wastage of tonnage, unless it had sufficient well-equipped workshops in which repairs could be economically carried out in the quickest possible time.

Sir Maneckjee DADABHOY took the Government severely to task for not consulting the Council of State on the admittedly historic step involving what Sir Charles Innes had described in the Assembly as an important change in policy.

"I recognise" said Sir Maneckji "the privileges and financial obligations of the Legislative Assembly. If the matter lay exclusively within the jurisdiction of the Assembly, I for one, would never take any objection to it, but it is the duty of everyone to see that the privileges of the Council of State are in no way restricted or affected. Here was an important change of policy involving special contribution from Railways to the general exchequer, but this Council was not even given the principle of that change. I look upon all members and the President to see that the rights and privileges of this supreme legislative body are never curtailed."

Proceeding, he considered the scheme of separation as possessing distinct advantages; but he deprecated the departure of the policy in regard to the terms for construction of branch lines, because it would take away a useful form of public investment in Railway projects and the present construction of smaller lines and created a sense of disappointment among a certain class of public, who had hitherto regarded these branch lines as safe and sound investment.

Proceeding, Sir Maneckji approved of the standardisation of locomotives and the Indianisation scheme. He recognised that Indianisation was slow, but he did not object to it, because efficiency must also be maintained. He appreciated the difficulties of the Government in this matter, and recognised that Anglo-Indians should not be overlooked. But he urged that no obstacle should be placed in the way of efficient Indians being promoted. Concluding, Sir Maneckji said he considered the budget as a whole as one which held out hope for future development and expressed gratitude to Sir Charles Innes and Mr. Hindley for their industry and exertion in this matter.

Mr. Lallubhai SAMALDAS also gave his general approval of the Railway budget, but he joined Sir Maneckji Dadabhai in the protest to the Government for their not having consulted the Council in the matter of separation of Railway Finance. If the Government were going to treat them like this throughout, then some of the present members of this Council would not care to come in through the next election. Let the Government take note of this feeling of this Council and treat this House with greater consideration. He objected to the Government taking from the Railways more than 1 per cent of their profits and quoted the analogy of the guarantors, known as shroffs in the Banking world, because if the Railways were to be run on commercial lines, then there must be something kept in the Reserve for bad or lean years. He approved of the starting of a training school at Chandausi as a right step in the right direction, but complained that the rate of Indianisation was not satisfactory. He asked the Government to consider the fact that the money left after spending on renewals and repairs and replacements from the depreciation fund would earn interest, and therefore the period of writing off the plant should be lessened. Concluding Mr. Lallubhai urged that there must be co-operation between Railways and Hydro-Electric Companies in the matter of electrification of Railways in the suburbs.

Lala RAM SARAN DAS complained that no Indian has been appointed on the Railway Board and asked: Was not Rai Bahadur Ralla Ram, Retired Chief Engineer of Railways, who was considered by the Government as an able man, a fit person on the Railway Board? He bitterly complained of the lack of convenience like waiting sheds and raised platforms for third class passengers and proceeding urged that the system of reservation of compartments for particular communities should be abolished. He welcomed the decision to revert to new constructions on a large scale, but pleaded for strengthening of the Travelling Police as a safeguard against the increase of crime on Railways. He deprecated the feeling on the part of the Government that members of the Legislature should not pry into the details of the Railway administration and said that the Government must welcome all healthy criticism given with the intention of remedying defects. He considered that Indianisation had not been proceeded with on some Railways as expected, and pointed out that on the North-West Railway especially it had been practically

at a standstill. As regards the amount of 26 lakhs meant for giving Lee Commission's concessions to the officers on Company Railways, Mr. Ram Saran Das objected to colour bar being introduced in regard to the emoluments to the services, and wanted to know why the State should pay for the officers of Company's Railways. Concluding he thought that if the new terms for the construction of the branch lines did not work well, then there must be a reconsideration of the question.

Sir Deva Prasad SARVADHIKARI complimented the Railway member and the Chief Commissioner on their admirable work in regard to the separation of Railway finance, but contested the argument that the legislature should not dictate in matters of details of Railway administration.

Sir Deva Prasad also joined Sir Maneckjee in the protest that the Government had not consulted the Council in the matter of separation, and incidentally asked why not a word had been mentioned in this Council about the publication of the Reforms Enquiry Committee report, while an announcement on this had been made by the Government in the other House? This kind of ignoring on the part of the Government was not fair to this House which had supported the Government (Laughter). He endorsed the other observations of his non-official friends as regards Indianisation and grievances of third class passengers, as also the new terms for construction of feeder lines.

Concluding Sir Deva Prasad referred to the Howrah Bridge and said that Calcutta's trouble was lack of money. Even if the Bengal Government was not wide awake in this matter, as had been alleged, the Railway Board might come in and construct a Railway Bridge between Howrah and Sealdah.

Mr. HINDLEY, Chief Commissioner of Railways, thanked the Council for the appreciative references to the work of the Railway Board in connection with the separation of Railway finance from general finance. Referring to the remarks of Mr. Bell, Mr. Hindley said that the Government would make every endeavour to spend the 30 crores set apart for rehabilitation of Railways. The improvements had already commenced and would be pushed through as speedily as possible. Regarding the complaint that provision had not been made for construction of yards in Bihar and Orissa collieries, Mr. Hindley referred to the statistics to prove that during the last eight years they had spent altogether nine crores of rupees in improving the facilities in coal fields and very large improvements had been made in marketing yards. Loading of coal during the last few years had been higher than at any time in the history of coal trade and this fact showed that Government had not neglected the matter. Regarding the plea for more powers to be given to Agents and Managers, Mr. Hindley said that decentralisation was the key-note of the work of the Railway Board and their relations with the Agents and Managers but in the present transition period there might be cases which a man in the street might regard as unnecessary interference, but the Agents and other representatives of Railways who were present at the last Railway Conference in Simla never made any complain on the score of interference even when they were asked to express their grievances.

Referring to Howrah Bridge Mr. Hindley said Calcutta ought not to be halting between two opinions on the question but must take a decision and construct the bridge which would cost six crores which was not a large sum when compared to several crores spent by the Bombay Government in connection with the development schemes. The Government of India was doing its best to offer to Calcutta its assistance but they could not give financial help to construction of Howrah bridge. As regards open wagons for carriage of coal, the Government of India would wait for the report of the Coal Committee before taking any definite decision. The Railway Board was now examining into the possibility of revising a certain of their workshop services on a temporary basis in order to construct coaching stock and provide for greater number of lower class stock and if this was done they would be able to go ahead with their programmes. Coupes were being provided not only in upper classes stock but also in third class stock.

The school at Chadausi would be to train the subordinate staff on Railways, primarily with the object of improving their efficiency and give them opportunities of understanding their work, which was of a technical character. They would have classes for young officers who would be instructed in all the aspects of train working and transportation working. In addition, probationary traffic officers would be trained at the school and they would get practical training on the Railways as well.

There was no justification for abandoning the present main station of Delhi because a new city was being erected at Raisina. The main station would carry on traffic for many years but as and when traffic in Raisina increased, they would provide new facilities to meet them. They were not providing for those facilities at present in Raisina because there was no need for them now. Facilities would grow with the volume of

passengers' traffic. In any case there was no justification for abandoning the present main station of Delhi.

Sir Charles INNES replying to the debate said there was no idea on the part of the Government of showing any disrespect to or casting slur upon the Council of State by not placing before them the resolution regarding the separation of Railway finance. In matters of this kind which affected both business and financial interests this Council was in a better position to advise the Government than the Legislative Assembly. If the Government did not consult the Council it was because they thought they had got the approval of the Council to the principle of the scheme when they had obtained from four members of this Council who were on the Central Advisory Council their approval to it. Moreover in the budget debate last year several speakers including Sir Maneckjee had supported the principle of the separation of the Railway budget. If the actual details of the scheme had been brought only to the Legislative Assembly it was because that House was the body which had power to sanction expenditure. There was however no intention on the part of the Government to show disrespect to this body. (Applause). Referring to the criticisms about the new policy in regard to branch lines, the Railway Member said the terms were out of date and nobody would come forward with money for financing of these lines on those terms. They had therefore to revise the rules in the direction of greater liberality.

Sir Maneckjee Dadabhoj had said that a time might come when Government might not find it possible to raise money for these lines. If that time ever came then the Government of India would be prepared to consider the matter. The new policy was best suited under the circumstances of moment and they could review it from time to time in the light of experiences they would gain. Records of Railway Board were full of applications from local Governments asking for construction of branch lines. The new terms were that if any local Government found it difficult to raise money for the construction of a line which though not remunerative yet was required for administrative reasons then the Government of India would certainly construct the line provided the local Government was prepared to guarantee the interest on their money. This was a simple, business-like proposition and local Governments had given their approval to it and there were several applications for construction under these terms.

Regarding arguments for decentralisation, Mr. Hindley had given full reply, but he (Sir Charles Innes) added that Government did not deprecate healthy criticism of the legislature but did certainly mind questions and resolutions likely to injure the discipline and proper working of Railways. If the legislature took up individual cases like alleged supersessions and dismissals etc., then certainly they would paralyse the initiative and efficiency of Railway administration. He was glad to hear from Sir Maneckjee Dadabhoj about Indianisation that efficiency must be their watchword. That was what Government was trying to do and it would follow that policy while giving effect to the Lee Commission's recommendations for 75 per cent. Indians in Railway services.

Reduction of third class fare had been urged but reduction of even half a pie would mean a loss of four and a half crores. It would be no use making reduction unless they were able to carry increased traffic.

Concluding Sir Charles Innes said:—"I have no fears for the future of Indian Railways if only the Central Legislature adheres to its propositions and trust the Railway Board and the Government. Then I am confident that as the time comes, Railways will become more and more efficient instrument for trade and commerce." (Applause).

After the speech of Sir Charles the general discussion of the Railway Budget came to an end.

On the 25TH FEBRUARY Mr. Ebrahim Haroon JAFFER moved the first resolution recommending that Local Governments should be directed to include a representative of the travelling public elected by recognised Passenger Associations in the Railway Advisory Committees in provincial headquarters. Mr. Jaffer, in a short speech, reviewed the activities of the Railway Passengers' Protection Society of India which, by representations to the Government of India, brought the local Advisory Committees into existence, and said the demand he now made for the representation of Passengers' Associations was only a necessary corollary. If representatives of Passengers' Associations were appointed, the local Advisory Committee would become more useful.

Mr. Lalubhai Samaldas, who was formerly president of the Bombay Advisory Committee, supported the resolution.

Mr. Natesan, a member of the Madras Committee, pointed out that on that Committee there was already a representative of the Passengers' Association, whose suggestions were carefully attended to.

Mr. Chadwick, Commerce Secretary, opposed the resolution as being unnecessary.



A great deal of latitude, he said, was given at present to the local Committees, which had come into existence only 18 months ago. The Government of India should not so soon tie them as regarded the selection of members. Mr. Haroon Jaffer pressed his resolution, which was rejected.

Haji Chowdhry Mahomed ISMAIL withdrew his resolution for the reduction of Third and Inter-Class fares on the railways to their pre-War level, in view of the general discussion on the Railway Budget the day before.

Mr. Haroon JAFFER then moved for the appointment of an expert committee to consider the advisability of reshaping many of India's most important waterways in order to provide heavy water transport to her innermost doors, security of the land against erosion, reclamation of land and tidal power for electric schemes.

Mr. Ley, Industries Secretary, opposed the resolution which was rejected.

On the 26TH FEBRUARY the Council of State turned down a non-official Bill passed by the Assembly in the teeth of Government opposition. Sir D. P. SARBADHIKARI sponsored Mr. Neogy's Bill to do away with the reservation of Railway compartments for Europeans and Anglo-Indians. He was supported by Mr. Khaparde, while opposed by Sir Maneckjee Dadabhai and Mr. Ismail Chaudhuri.

Mr. CHADWICK declared that the present law was flexible to suit altering conditions. The proposed change would only impose undue restrictions on Railway companies regarding arrangements for the convenience of passengers. The Bill was rejected.

The Council next passed the Assembly President's Salary Bill.

On the 28TH FEBRUARY before Mr. McWATTERS presented the General Budget in the Council of State the President announced the result of the elections held for the panels of members to sit on various Standing Advisory Committee attached to various departments.

#### THE FINANCIAL STATEMENT 1925-26.

Mr. McWATTERS then delivered his Budget speech, which lasted 40 minutes. The announcements of the surplus, of the remission of Provincial contributions to Madras, the United Provinces, the Punjab and Burma, and that Bengal would get a further remission of contribution to the extent of Rs. 63 lakhs for the next three years were received with cheers. Mr. Bell and the Raja of Digapathia applauded the statement that the import duty on petrol had been reduced to 4 as, a gallon and Mr. Raza Ali and other members showed their appreciation when it was declared that the Islamia College, Peshawar, was among other institutions to receive financial aid. Concluding the Financial Secretary observed :—"We hope the corner has been turned and that we are actually advancing on the road to social progress. Local Governments will now have an opportunity to develop industry, agriculture, education and sanitation and such other services as will lead to enlightenment." (Cheers).

The speech of Mr. McWatters contained numerous figures without any reference to notes and was delivered with such ease and clearness that officials and non-officials joined in warmly congratulating him.

#### Recruitment to Public Services.

On the 2ND MARCH, after interpellations, Syed RAZA Ali moved that early steps be taken to modify the existing system of recruitment for public services on the following lines :—

(a) A just and adequate share in public services whether recruited by competition or selection should be fixed for the Muslim community.

(b) In case of services recruited by competition particularly, the Indian Civil and Police Services, two lists of successful candidates, one for Non-Muslim candidates and the other for Muslim candidates, should be prepared and from each list as many candidates as there may be vacancies available for the men on that list, should be chosen in the order of merit, and

(c) A minimum standard of qualification should be prescribed and no candidate who fails to satisfy such standard should be selected for appointment.

Mr. Raza Ali said he would not have brought this resolution but for the conviction that it would enable to remove much of unpleasantness that existed between the two communities. This resolution, if passed, would remove the apprehensions of the Mahomedan community as to its future in a self-governing India. It was the duty of non-Muslims to support this resolution and satisfy the Muslims, just as it was the duty of Muslims to assure their Hindu friends that in their relation with their co-religionists in foreign countries, they would place the interests of India first and communal considera-

tions next, Mr. Raza Ali then reviewed the history of the Muslim demand. When Lord Minto was Viceroy an influential deputation consisting of representative Muslims in India represented their grievances and separate representation was created in the Minto-Morley Reforms. This set Mussalman fears at rest for some time. Had it not been for the Lucknow Pact of 1916, Mussalmans would not have helped to bring the Reforms Scheme into existence. The principle of this pact was separate representation in legislative bodies. But as regards services, the first commission appointed was in 1886 and the question which he (Mr. Raza Ali) raised even then for the commission stated that by open competition they would be only excluding some important classes of India and give undue benefit to other communities, especially the Hindus who had an earlier start in University education. The same question figured again in the deliberations of the Islington commission which also made similar observations as regards the effect of unrestricted competitive examination. But unfortunately the conditions which existed in 1912 obtained even to-day. Since the examination for recruitment for the I.C.S. had been held in India, not a single Mahomedan had been appointed. This was the result of the operation of the competitive principle. He at the same time admitted that the position was not so bad in the Imperial Police Service where Government had exercised their power of nomination more liberally. Unless they fixed a certain standard for Muslims that community would go unrepresented in the services. Fortunately, this principle was in force in the United Provinces. Dr. Paranjpye in his presidential address at the last Lucknow session of the Liberal Federation endorsed the introduction of certain minimum percentage in order to see that backward communities did not suffer in competition. The Legislative Assembly had discussed this question several times. On one occasion Sir Malcolm Hailey, in accepting a resolution in an amended form declared that the Government would see to prevent preponderance of any one class or community in the services under the direct control of the Government of India and there would be no overweighing of one province or community. Not only the Government but also public men in India stood committed to adequate representation of minority interests. The position in the Imperial Services was far from satisfactory and efforts must be made to redress the grievances of Muslims.

Sir Alexander MUDDIMAN on behalf of the Government made an important announcement and at the same time expressed inability to accept the resolution. He admitted this was the most important subject, because, whatever their Government might be in future, the services which were the hands of the Government must be efficient and nothing could be done to impair them. When he referred to the services, he referred to both Europeans and Indians, who had set an admirable example of integrity and public spirit. Now that the Lee Commission's recommendations had been accepted, it was natural that there should be anxiety in some quarters about the effect of the changes. The Government of India, in giving effect to their policy, remark that the Indian element in all grades and branches of administration must rely primarily on their measures for recruitment. What was offered to the new recruit, whether Indian, European or whatever race, was a career open to talent and once admitted to public services, his fortunes lay in his own hands. He must not rely for advancement on favour or favouritism, but on his own industry, energy and capacity. Promotion must go by merit and selection for posts requiring special qualifications must be determined by strict regard for the necessary qualifications and general public interest. As regards the existing members in the services, Sir Alexander Muddiman made it clear that Indianisation would not be by the door of supersession.

Proceeding, the Home Member said it was clear that the Government should not rush to make changes in the system of recruitment; but there was no doubt that the standard of efficiency must be maintained. That was the principle from which they could not depart. Sir Malcolm Hailey had made it clear in the Assembly in the debate on a similar resolution that in making new recruitment in the services under the control of the Government of India, steps would be taken to secure that the services were not unduly over-weighted with representatives of anyone community or province, and as far as possible, the claims of the communities would be considered. In the competitive examination held in Allahabad in 1923 and 1924, 45 Indian candidates were successful, but there was no Mahomedan. But the Government exercised their power of nomination and out of eight candidates appointed under the process three were Mahomedans. In the Police service also out of 27 candidates successful in the competitive examination in 1922 and 1923 eight were Mahomedans; but under nomination two Mahomedans were taken. The results of the examination did call for reflection. The position at present was summed up in the absolutely unexceptionable formula accepted by the Assembly although it was negatively worked; but the trouble lay in applying that formula and he did not see how

they could prevent over-weighting of one community as the decision was in the hands of those who applied for admission; but there must be a general list and not a separate list, and what was more important than the test of examination was the test of character.

Continuing Sir Alexander said:—"I admit there is need for adequate representation of the minority communities; but we cannot impair efficiency of the services by admitting persons not qualified. We do contemplate extension of the present arrangement to secure representation of the minority interests provided there is adequate qualification. At present, we reserve one-third of the vacancies in the I.C.S. which will be filled by direct recruitment in India. To redress inequalities we propose in future to reserve one-third of the whole of Indian recruitment. We shall, as in the past, normally appoint officers by observing the results of competitive examinations. If the results are satisfactory, we shall be in no difficulty. If not, we shall resort to the process of nomination. We shall nominate as far as possible to those vacancies candidates who sat for the competitive examination and attained the adequate standard. If there are no such candidates we may have to adopt other means of obtaining them. If we cannot obtain candidates with adequate qualification we shall not appoint them. Regarding the other three All-India services (Police, Engineering and Forest), we shall similarly reserve one-third of the total vacancies (Applause). Concluding the Home Member pointed out that the statement he had made must go far towards meeting the wishes of Mr. Raza Ali and advised him to withdraw the resolution.

On the 3RD MARCH the Council of State passed without discussion the Cantonments Act Amendment Bill as passed by the Assembly.

On the motion of Mr. Orerar the House agreed to a small verbal alteration in the Bill to amend the Prisons Act as passed by the Assembly.

The Council agreed to the changes made by the Assembly to the Obscene Publications Bill. Sir Maneckjee Dadabhoj maintained that the changes made by the Assembly were superfluous but it had become the fashion of the Assembly not to accept any Bill passed by this House without some change or other. He did not, however, like to oppose these unnecessary changes because that would necessitate a joint session of both the House.

#### Restriction of Opium to Medical Consumption.

On the 4TH MARCH, in the Council of State, Sir Devaprasad SARBADHIKARI moved that early steps be taken to see that as far as possible only medicinal use of opium should be countenanced in India and that the Government should confer with representatives of all sections of the people as to how restriction to medicinal use could be carried out in practice.

The mover said that this question had assumed an acute form as a result of the Geneva Conference. He did not wish to challenge the whole of the opium policy of the Government but to deal with the restriction of actual consumption as far as possible to medical needs. Mr. Campbell, India's representative at the Geneva Conference, made a reservation when he said that the Government of India could not consent to restrict the cultivation of opium to medical and scientific requirements because in India the drug could not be thus restricted without great hardship. It was this statement to which he (Sir Devaprasad) objected because it was precisely what was contained in Lord Hardinge's despatch of 1911 and which had now become the *locus classicus* of the Government of India on the subject. In that despatch it was stated: "Non-medical uses are so interwoven with medical uses that it is not possible to draw a distinction between them. It is not necessary that the growth of the poppy and the manufacture and sale of opium should be prohibited except for medical purposes. Whatever may be the case in other countries, centuries of experience have taught the people of India discretion in the use of the drug and its misuse is a negligible feature in Indian life."

Mr. McWATTERS, on behalf of the Government opposed the resolution as being unnecessary and detailed the steps which the Government were taking in the direction desired. Speaking on the external aspect of the question, Mr. McWatters pointed out that the Government had by the agreement of 1911 prohibited the export of opium to China, but there had been a recrudescence of opium cultivation in China itself, with the result that opium was grown more in China than perhaps in any other part of the world. The Government of India then restricted the export of Indian opium to other Far Eastern markets. The effect of this restriction was that instead of 42,600 chests yielding Rs. 8 crores revenue in 1910, there was the sale of only 7,500 chests yielding Rs. 1,21,00,000 in the current year. Then, as a result of the Hague Convention, India adopted a system by which no opium was exported except under license of the Government of the importing country. The Government were endeavouring to carry out this policy and the Govern-

ment would not be influenced by any financial considerations. Should any country wish to reduce the consumption and eradicate the evil the Government of India would not say no.

The resolution was lost without a division.

#### Life Assurance Claims.

Mr. SETHNA then introduced his Bill to amend the Succession Certificate Act, 1889, and in moving that it be referred to a Joint Committee of the Council and the Assembly of twelve members explained that its object was to incorporate a provision whereby any claimant to life assurance policy monies would be compelled to apply for a succession certificate in proof of his title. Difficulty had been experienced, he said, by reason of subordinate courts (in Bengal for instance) having held that a certificate was not necessary in certain cases. The certificate would be issued at a small cost to the claimant and the claim would be immediately settled. All life assurance companies, whether Indian or non-Indian with their head offices in India or elsewhere, could not but favour this Bill because of the help it would extend to them. If such a provision as that contemplated in the Bill was not expressly contained in the Act, life assurance companies stood the risk of having to pay a claim twice over, should it be proved subsequently that the title they first accepted was at all erroneous. It had been suggested by some lawyers that if it was provided that the word "debt" in the Act already in existence were stated to include moneys payable upon the death of a person under a policy of life assurance, then the position could be met. If the proposed Committee was of that opinion, he had no objection to its being considered.

Mr. CRERAR, on behalf of the Government, accepted the reference of the Bill to a Joint Committee. The Government, he said, fully appreciated the points mentioned by Mr. Natesan. It was desirable that Local Governments should be given an opportunity to express their opinion and to ascertain public opinion on the merits of the Bill. If the Bill was referred to a Joint Committee the Government of India would, by executive order, obtain the opinion of Local Governments and High Courts.

The motion for reference of the Bill to a Joint Committee was then accepted.

On the motion of Mr. CRERAR the Indian Prisons Bill, giving effect to certain recommendations of the Jail Committee, was passed.

## General Discussion of the Budget

SIMLA—5TH MARCH 1925.

On the 5TH MARCH, the business of the Council of State was confined to the general discussion of the budget. Sir Umar HAYAT KHAN was the first to speak on the Budget. He congratulated the Finance Member on the surplus budget. He thanked the Government for the reduction in provincial contributions and for the pronouncement regarding Muslims in the services. The Muslims did not want any reform or any Government in which their voice might be drowned. He urged that the money reduced in provincial contributions should be set apart for sanitation and education.

The Hon'ble Mr. SETHNA congratulated Sir Basil Blackett for turning the corner after five successive deficit years and launching India again into surpluses. It was high time that this result was attained particularly because of the increase of several crores of rupees in taxation since the date of the reforms. He hoped that Sir Basil was correct in his assumption that exchange would not go lower than one shilling six pence, and that the Government would do all in their power to prevent its going lower. This assumption was strengthened by their proposal relating to the ways and means where a reduction of cash balance in London by 179 crores was proposed.

Mr. Sethna, dealing with exchange, said the Indian Merchants Chamber and Bureau, of which he was the President, did not see eye to eye with the Finance Member and invited him to visit the Bureau on his way to England so that they might have an opportunity of meeting his arguments. India might not be the heaviest taxed country in the world, but taking into account its poverty India could not by any means be said to be lightly taxed. Then again there was the dread of the recommendations of the Taxation Committee now sitting and Mr. Sethna asked his Committee to take note of the unanimous conclusions of the Royal Commission in regard to taxation in New Zealand.

After thanking the Commander-in-Chief for reducing the Military expenditure, Mr. Sethna complained that in the Budget Bengal had been unduly favoured and this partiality of Sir Basil towards Bengal might be due to the fact that he first saw the light of day in Calcutta. But this partiality was beyond comprehension when the Government of India did not know whether there would be surpluses in the next two years or not. Bombay had been treated as a step-child although like Bengal she had been clamouring for revision of the Meston settlement under which the Nation-building departments were practically arrested for want of funds. Bombay was an industrial province and in a normal year the amount of Incometax and Super tax collected in it was about one third of the total of the whole of India under that head. A fair percentage of this collection, Mr. Sethna claimed, was urgently needed for Bombay to enable the Transferred Departments to progress as they ought to. If more cotton mills of Bombay had not gone to the walls than now, it was because they laid by reserves during the boom period; but now so heavy were their losses that Mr. Sethna feared that the Income tax and Super tax revenue from the Bombay Presidency must drop by far more than a crore of rupees from the average in a normal year.

If Bombay was left in the cold in the matter of relief in provincial contribution, it had fared worse still on the subject of cotton excise. This duty was an obnoxious one and one of the greatest wrongs done to this country under British administration and was a standing blot on their financial policy. While relief was being afforded from the surplus to some of the provinces in their contribution and also to the services in higher pay and emoluments in accordance with the Lee Commission's recommendations, against the wishes of the people, the Finance Member did not choose to make even a passing reference to this most vexatious tax.

Mr. Sethna proceeding criticised the policy of the Government in writing off so large a sum as 428 crores made up of 82 lakhs, being discount charges on the 1923 loan and 341 crores of loans and advances to the Persian Government. This policy, he said, was contrary to what Sir Basil Blackett himself advocated a year ago. The sum of 341 crores was entirely the look-out to be repaid by them and it must therefore be struck off from India's suspense account. He mentioned these items with a view to show that if only the Government had had the will, it could have easily repealed the Cotton Excise duty and earned the gratitude of the nation and removed the suspicion that the duty was continued to help Lancashire at India's expense. If the Labour Government had been now in power, they would have done justice to India in this respect. Possibly opposition to the removal of this duty at present might have come from the present Conservative Government. In this connection Mr. Sethna suggested to His Excellency Lord Reading to discuss this point with the Secretary of State when he would be in England on leave.

Mr. Sethna regretted that the Government had not reduced the Customs duty on motor car in spite of a universal desire to that effect. Motors were not a luxury, but a necessity and Mr. Sethna quoted the views of the Chairman of the Trades Association delivered in Calcutta sometime ago. The speaker objected to the tax not being levied on the importation of silk, matches, etc., in the Indian States that had an opening to the sea and which passed them on to British India dishonestly. The continuation of higher postal rates was a misfortune.

Concluding, Mr. Sethna referred to the Government proposal to refund duty to certain provincial Governments in respect of the purchase of stores by those Governments outside India and urged on the Government the necessity of consolidation of Stores rules involving a deliberate policy to secure the Indian Industries a fair chance of success.

Sir Maneckjee DADABHOY congratulated the Finance Member for presenting a surplus Budget, but the surplus had been achieved after a succession of year, in which heavy taxations were imposed. Except the fact that customs revenue had increased by 2.72 crores, there had not been a general response in the matter of trade as anticipated by the Finance Member. The Textile Industry was still passing through a critical period and was living on its resources. If the situation continued, he feared a terrible crisis might result in India. The surplus of 324 crores presented by the Finance Member, did not represent the true position. It had been arrived at by making important modifications in the financial policy of the Government. He failed to understand the expediency of the policy of writing off eighty-two lakhs, being discount charges of 1923 loan and 341 crores of loans and advances to the Persian Government. This figure added to 324 crores of surplus, brought the total figure up to seven crores. The Government of India ought to have utilised this amount not only to remission of Provincial contributions, but also to removing certain imposts which were regarded by the country as wholly unjust. He did not grudge the remission of contributions to Madras, United

Provinces, Punjab and Burma, and even to Bengal, because it was the policy of the Government to work gradually to the extinction of the contributions, but it was the usual practice when a surplus occurred that the general tax-payer must get the advantage in the shape of a reduction of tax. There, however, appeared to be no hope for it this year, nor in the coming three years, if the policy of the Government was not to afford relief to the general tax-payer till the Provincial contributions were wiped off. Then it was a policy that was open to serious objection not only in this House but also in the country at large. He did not see why 73 lakhs should be kept in reserve while the estimate of the revenue for the next year had been placed on the most cautious estimate and while the Government had already kept up their sleeves a surplus of 4-25. The country had a right to get back this money in the form of some relief to the general tax-payer. A surplus of 72 lakhs against possible disappointments was not justified and if the time came for reapportionment of this sum a very large portion of it should go to Bombay which had a superior claim. As one who had signed the majority report of the Fiscal Commission, Sir Maneckjee Dadabhoj supported the claim for reduction, if not immediate abolition of Cotton Excise Duty which was promised by Lord Hardinge. He was glad that a sum of 4-78 crores had been provided for reduction or avoidance of public audit. This policy would raise the credit of India in the world. He was sorry that there had been ill-conceived opposition in the Assembly to this policy, but he assured Sir Basil Blackett of the support of this Council in this matter. Sir Maneckjee Dadabhoj complained that super-tax had been kept very high and in this connection promised the Finance Member support of this Council to any measure to prevent evasion of the tax. The super-tax had alienated the commercial community of India including the Marwari community from the Government. It was destructive of industrial initiative and enterprise. "This Assembly, constituted as it is of Swarajists, might be reluctant to reduce this tax now because it is anxious to create differences between the Government and the commercial community; but as a friend of the Government let me tell you that the present policy is a ruinous one. Before concluding, let me thank the Commander-in-Chief for reducing Military expenditure and hope that he will see his way to bring down the figure to what the Inchcape Committee had recommended, namely, 50 crores."

Mr. BELL congratulated the Finance Member on the favourable budget and congratulated particularly Mr. McWatters on the extraordinary grasp of details of the financial position when he lucidly explained all obscure points in presenting the budget. Mr. Bell took no exception to the writing off of 82 lakhs being discount charges on 1923 loan and 341 lakhs being amount of advances made to the Persian Government, because this was obviously a desirable procedure in each case. The first was a liability which they knew about, but the second was a liability of which they had no knowledge. It had been hanging over their heads, but came as a shock with the result that more than half of the real surplus of a good financial year had been wiped out in meeting it. But this House was entitled to know from the Finance Member whether there were other such sums for which provision might have to be made in future budgets. Referring to customs figures, Mr. Bell pointed out that the protective duties imposed last year had imposed on the country a burden of 2 and a one-fourth crores. This was only a part of the burden and who would have to bear the greater portion of it was known to all. As regards exchange, Mr. Bell said the more optimistic view of the Finance Member last year had been justified. He did not wish to refer too often to the policy of protection as a result of which a certain Act was passed last June, but this Council would observe that within a few months of passing of Steel protection Act a further burden had been placed on the shoulders of the public and that before the end of the current month a sum of sixty-two lakhs would have been paid in bounties and that was not the end of it by any means. Now that the storm raised over the recommendations of the Lee Commission had passed over and further time given for reflection, Mr. Bell did not think there was any member of this House who did not feel gratified that it had been possible to include in the revised figures for the current year provision to the extent of 25 lakhs towards pay, pension and concessions to superior services and that their claims had been met to some extent. The provision for avoidance of public debt was not one that would impose a very serious annual burden on the finances of the country. As regards Military expenditure Mr. Bell said that no country with great responsibilities could afford to take great risks and trusted that in their anxiety to effect every possible reduction, the Government would not be tempted to sacrifice efficiency to economy. Here Mr. Bell thanked the Government for passage concessions to officers of superior civil services granted in terms of the recommendations made by the Lee Commission. Continuing Mr. Bell assured Government that Bengal would be very grateful for further remission of provincial contributions for three years. Bengal also rejoiced in no grudging spirit to find that it had been possible to announce substantial

reductions in contributions of Madras, United Provinces, Punjab and Burma. They trusted that in not too distant future these Provincial contributions would be entirely and permanently cancelled, because they recognised that until this was done it would not in the first place be possible for provinces financially embarrassed as they were to develop along their own lines or in the second place for the Government to turn their attention to reduction of other taxation which was at present seriously hampering development of the country.

Sir Devaprased SARBADHIKARI said the discussion in the Council on the Budget reminded him of the discussion in the Councils of pre Minto Morley days, because the Finance Bill was now framed on the basis of discussion in the Assembly and this Council was powerless to do anything in the matter. He did not think that there was any immediate necessity for providing for redemption of debt because there was salt duty which still stood at the certificated level and postal rates had to be reduced. Touching Provincial contributions Sir Devaprased said that what Bengal got was only bare justice but at the same time he put in a plea for revision of the Meston award. As regards Military expenditure he supported the observations of Mr. Natesan and took Sir Umar Hayat Khan to task or his remarks about a National Army. What the Council wanted was that the Army should be national in the real and larger sense of the term.

Mr. Ramsarandas :—How many years should it take ?

Sir Devaprased :—“I do not think any honest soldier thinks that it will take a thousand years. Let there be not one Dehra Dun College, but ten, because military education is one of the essential factors of nation building. My complaint is that more provision had not been made for military education. Reference has been made to Sir B. N. Mitra's and Lord Rawlinson's mission to England in connection with the settlement of the War Office claims. We must be thankful for what has been done by them ; but my regret is that a great deal more could not be done. One cannot fail to recognise the immense services of Sir B. N. Mitra and I am glad recognition of it came from the Government, when they select him for the post of Executive Councillor, and I hope that in that Council he will not get spoiled”. (Laughter)

H. E. Lord RAWLINSON said that the reasons for reduction in Military Expenditure were largely due to the strict economy instituted by the assistance of the Inchcape Committee and to the return of normal times compared with what was obtained some five years ago. Mr. Natesan had referred to the feeling of suspicion that existed throughout the country with regard to the intentions and policy of the Government on Military expenditure. There was no denying that suspicion existed and it was one of the greatest difficulties which he and the Government had to overcome. He doubted whether they would ever overcome that suspicion. After all, they were all suspicious when their interests were in the hands of somebody else, those actual motives and desires they did not quite understand. It was only human nature that there must be some suspicion as to whether their immediate interests would be pushed in the direction they all desired. There was nothing that he could say, that would eliminate and overcome the whole of that suspicion. The Government of India had done their best and would continue to do their best to overcome that suspicion and to deserve a little more confidence ; but he could not say when they would be ever able to entirely overcome that doubt. Reference had been made to the visit of himself and Sir B. N. Mitra to London in connection with disputes with the War Office. Here again, there was suspicion that the interests of India were not perhaps being pushed with the strength that they might have been. Sir B. N. Mitra and he himself had fought hard on this matter before the higher authorities, who would not do everything in their favour, but the results they were able to achieve would mature to the benefit of India at no distant date.

Mr. Lalubhai SAMALDAS said that, though they had their differences with Sir Basil Blackett, he felt that the Budget showed they had a sincere cause for congratulation. The speaker drew the attention of the Finance Member to the feelings expressed by Lord Curzon for State aid to Indian Industries. A special responsibility lay on the Government to raise the country industrially. The claim of the most important industry should not, therefore, have been neglected and the Cotton Excise Duty should have been remitted. He said that India had enough of communal jealousies and deprecated the introduction of Provincial jealousies. He pointed out that, while Sir Basil Blackett had himself laid down a year ago that payments of discount on loans were spread over a number of years, he had himself this year gone back on that principle by providing paying off discount in a lump sum. He said that the Finance Member the day before took objection to the remarks that he had shown sympathy to Calcutta and antipathy to Bombay. The speaker did not question the Finance Member's motive, but pressed with

equal force that Bombay's view was also put forward in the interest of the whole of India and that Sir Basil Blackett had unnecessarily emphasised in his Budget speech that Bombay was pressing reversion of exchange solely in her interest.

Sir S. R. M. M. Annamalai CHETTIAR said that it was a very interesting Budget because of the separation of Railway from General Budget. He said that the general taxpayer had the first claim to the surplus and that the Meston award was unjust because it led to heavier burden on some Province than on the other. It was a matter of gratification that the military expenditure was reduced and he appealed to the Commander-in-Chief to effect further reduction so that money so saved might be spent on nation-building departments. He said lack of funds in his Province had stood in the way of education and sanitation and felt grateful to the Finance Member for partial relief given by reduction of Provincial contribution. He concluded by saying that the era of deficits was over and the era of hope and progress was ahead.

Sir Basil BLACKETT thanked the House for the shower of congratulations which would encourage him, and the Finance Department to continue to do their best. He agreed with the last speaker as to the paramount need for the development of agriculture. By reducing provincial contribution the Government was precisely doing the same and was helping the provincial Governments to push forward their programme in respect of nation-building department. The Finance Member then began to calculate that if he were to accept the suggestions made by the various members of the House to reduce taxation then he would find himself on the wrong side to the extent of 20 crores instead of having his surplus of 75 lakhs.

Sir Basil Blackett referred to the suggestion of Sir Maneckji Dadabhoi that the realised surplus of over 4 crores in 1923-24 should have been used to take off the cotton excise duty and super tax. He could have done so because the surplus was not recurring, and he could not utilise it for giving up recurring sources of taxation. The answer was so simple. Instead of using the surplus of four crores for reduction of the debt, he had used 80 lakhs out of it to pay off discount of the Loan, and 341 lakhs in respect of loan to the Persian Government. By paying off 80 lakhs in a lump sum he had increased the surplus of the year by four and half lakhs, and had relieved the Finance of a similar obligation for a number of years.

As for the provision for 341 lakhs he did not agree with Mr. Bell that it had been disclosed for the first time. It had appeared as an outstanding amount in the accounts of the Secretary of State. It has been shown in the audit report of the Home Auditor. Of course it had not hitherto drawn the attention of the members. The liability which was covered by 341 lakhs was without dispute, and was incurred more than nine years ago, and the reasons for it had now become a matter of history. There was of course a dispute about the expenditure incurred in East Persia which the Government of India had refused to recognise as their liability, while the War Office had always claimed that India shared the liability. India's point of view was forcefully represented by Lord Rawlinson, the Commander-in-Chief and Sir B. N. Mitra in England recently. As a result of that, new proposals were under consideration, and soon they hoped to come to an agreement. He assured Mr. Bell that the liability would not be very heavy, that the current year's surplus would be enough to meet it. India also had claims against the War Office and on the whole they did not know which side the final balance would go.

The Finance Member then dealt with the question of Cotton Excise Duty. He admitted that Lord Hardinge gave a pledge that the duty would be removed as soon as financial considerations permitted it. Of course this pledge was given in 1915 when the Provincial contributions formed no part of the central revenue. Logically therefore so long as the provincial contribution remained they could not say that they had a surplus and could not devote their attention to reducing the central taxation. Some members had referred to the fact that he was keeping 74 lakhs as too big a surplus against contingencies and misadventure. The Finance Member explained that out of this only 18 lakhs surplus was recurring, which could be available for either further reduction in the contribution or in taxation, but he asked if the House thought that 18 lakhs was a big surplus to carry with them against unforeseen contingencies. By asking him to reduce the Cotton Excise Duty on the basis of the non-recurring surplus they were really putting his balance on the wrong side. Next year he would however assure the House that the Government of India have every intention of fulfilling the pledge in respect of the Cotton Excise Duty (applause) but the time had not yet arrived. They must admit that the claims of the provinces were prior and supposing the Cotton Excise Duty were now abolished, it would only postpone the day when the contribution of the Bombay



Government would be reduced and remitted and the question of the Meston award would be reopened.

The Finance Member assured Mr. Lallubhai Samaldas that the speaker's remarks about Bombay in his Budget did not question the sincerity of Bombay in holding the opinion about the Exchange honestly. Only Bombay appeared to have paid lesser attention to the interests of India as a whole. He reminded Mr. Lallubhai that Bombay had never mined words in vigorously attacking the Finance Department of the Government of India. (Laughter.)

Sir Basil Blackett next replied to the various suggestions made. He said the remission of kerosene duty would mean considerable loss to the revenue. On the other hand reduction in petrol duty might bring in an increased revenue. He admitted that the super-tax diminished savings, and that its remission would help the trade by cheapening money. Similarly high tax on motors was hindering full development of a useful form of transportation. He mentioned that commercial cars did not pay 30 per cent duty, but only private cars were so charged. The Government could not, however, indulge yet in the luxury of taking off these taxes. There were other forms of taxes, which weighed heavily on the poor. He did not want to draw a distinction between the rich and the poor and admitted that the industrial and agricultural development of India was retarded by high taxation. They were not, however, within sight of early action in the direction of reduction in taxation. Concluding Sir Basil Blackett again defended the debt redemption scheme and warned those who wanted to raid it partly that they would be making India pay the same amount by way of interest that they were now paying in the sinking fund.

Thus the Budget discussion came to an end and the Council adjourned for a week.

On the 12TH MARCH, the Council of State reassembling, on the motion of the Commander-in-Chief the Cantonments House Accommodation Act Amendment Bill as passed by the Legislative Assembly was passed.

#### Haj Pilgrims Bill.

Sir Mahomed HABIBULLAH, moved the consideration of the Haj Pilgrims Bill, as passed by the Assembly. He regarded it as a humanitarian piece of legislation. He related the inconvenience and discomfort to which pilgrims were put in the course of their tours. Either public funds had to come to the rescue to repatriate destitute Moslems to India, or private charities had to be tapped for the same purpose. That state of affairs should be ended. There was no question of mending it. The present age of destitution had been increasing during the last few years, and in 1924 it became necessary for the Government to introduce an experimental system of demanding the deposit of return tickets in the case of every pilgrim intending to go to the Hedjaz. The result was that the percentage appreciably decreased. But when it was remembered that there was still an element of option in that system, it was not possible to eradicate the evil altogether. It was not fair to the general tax-payer that the Government of India should be called upon to shoulder the financial responsibility incidental to the repatriation of a large number of pilgrims who went without means to return to their homes. In 1921 the Government had to spend Rs. 40,000, in 1923-24 the expenditure was Rs. 35,000. It therefore became necessary to devise means for suppressing the evil. The Dutch East Indies and Malaya, both of which contributed 42 per cent. of the pilgrims every year, had introduced a compulsory return ticket system.

The Bill was passed without opposition.

Mr. CHADWICK moved the consideration of the Cotton Ginning and Pressing Bill as passed by the Assembly. The Bill was passed without any opposition.

#### Frontier Committee Report.

Syed RAZA ALI moved a resolution urging the Government to give effect at an early date to the Frontier Committee Report. He referred to the events which led to the appointment of the Committee. That Committee examined 22 official witnesses, 18 of whom were European officers. The non-official Indian witnesses examined numbered 76, of whom 28 were Hindus, the rest being Mussalmans. The widest publicity was given to the proceedings of the Committee, which attracted even the non-co-operators, who tendered their evidence. It was unfortunate that the report of the Committee was not unanimous. Messrs. Rangachariar and Samarth had drawn up their own separate report, but that did not affect the question contained in his resolution. The main question before the Committee was whether it was expedient to separate the unadministered tracts from the five Settled Districts of the Frontier and if so, whether those five Settled Districts

could be reamalgamated with the Punjab, as it was before 1900 when they were dismembered from the Punjab, and if separation was not expedient and amalgamation with the Punjab impossible, what administrative reforms were necessary.

The Majority section of the Committee had, in view of the intimate relations that existed between the people of the cis-border and trans-border areas, come to the conclusion that separation of the tracts was impossible. Expert opinion on the question was wide and voluminous. When separation of the Settled Districts from the adjoining areas was considered impossible, the Majority consequently ruled out the amalgamation of the Settled Districts with the Punjab. The Majority then proceeded to make liberal recommendations for the administration of the frontier districts. They suggested the establishment of a legislation therein and the appointment of an Executive Council and a Minister. It was proposed to give Hindus double their share of representation in the Council on the lines of the Congress-League Pact of 1916. The Majority further recommended the appointment of an Additional Judicial Commissioner and suggested a drastic curtailment of the Frontier Crimes Regulation. Such were the liberal recommendations by the Committee, which Mr. Raza Ali contented should be given effect to without any delay, because the people of the Frontier were getting impatient at not having obtained any kind of reforms along with the rest of India in 1919.

Subsequently, after a long debate, the resolution was withdrawn.

#### Savings Bank Interest on Mahomedan Deposits.

Mr. Haroon JAFFER moved that the Government should keep a separate account of the interest payable by the Government on deposit accounts in the Post Office savings banks opened by Mahomedan depositors who, owing to their religious belief, had made a request that no interest should be credited to them, and that that sum should be set aside as a special fund, to which also any interest on Government Securities foregone by Mahomedan holders under similar circumstances should be credited. It was proposed that that fund should be utilised in awarding scholarships to poor Mahomedan students in the Moslem University at Aligarh. There were several Mahomedans who refused to take interest through religious scruples on loans and deposits in banks. Whatever the origin or justification of the idea the effect could not be ignored that some Mahomedans considered it a meritorious deed enjoined by religion to forego interest. They kept money in banks only for safe custody, and they invested in Government Securities as a means of providing safety for their savings. If education was to spread among Mahomedans, the vast majority of whom were very poor and backward, then the suggestion should be adopted. The Government could not have any objection to utilising the money for that noble cause. It was not their money, but the money of the Mahomedan depositors. It was not difficult to devise machinery for awarding and distributing the proposed scholarships.

Haji Ismail Choudhry, Khan Sahib Aman Ali and Mr. Yamin Khan supported the resolution. They said it was a laudable object and the Moslem community were in favour of the resolution.

Mr. McWATTERS explained what he called the non-committal attitude of the Government. He said that in the savings banks the Mahomedans had at present Rs. 3 and half lakhs bearing interest at about Rs. 10,000. There would be no difficulty in keeping a separate account of that for whatever object that would be decided upon. Regarding cash certificates also, there would be no difficulty. But the trouble was in Government securities, which were transferable. If the community favoured the proposal of Mr. Jaffer, then Government would have to introduce a system by which all Mahomedan investors in Government securities would have to take a non-transferable deposit receipt. But the other difficulty was that those who would part with their interest might insist on other charitable objects. Unless, therefore, the Government felt sure that the Mahomedan opinion was more or less unanimous, it would be difficult for them to proceed on the lines suggested in the resolution.

Sir Devaprasad SARBADHIKARI supported the resolution, and asked the Government to accept it and then decide, in consultation with the Moslems, upon what form the money should be spent.

## The Finance Bill.

On the 20TH MARCH the Finance Bill as passed by the Legislative Assembly came up for consideration in the Council of State. Large number of members of the Assembly were present in the galleries.

Mr. McWATTERS, Finance Secretary, in moving for the consideration of the Finance Bill, explained the chief features. While a year ago the Government hoped on the existing basis of taxation to balance their budget, this year they were in a position if the Bill was passed, in the form they desired, i.e., if the Salt Tax was restored to make the first and substantial reduction in provincial contributions. He referred to the reduction in Petrol duty and justified it on the ground that the 15 lakhs loss that would be incurred could be made up by the increased revenue expected in the long run by increase in the Import of motor cars and lorries and motor accessories. He also justified the provision for Paper Currency Reserve as justified in the present circumstances. As regards the Salt duty he would move an amendment to restore it to one rupee and four annas per maund. If this was not restored, there would be loss to revenue of about 125 lakhs.

Mr. V. RAMADASS opposed the consideration of the Finance Bill on the ground that Government had forfeited the confidence of the people of this country and were neither responsive nor responsible in any form. There was no element of responsible legislature, and whatever might the representatives of the people demand, the Executive could ignore them lightly and, indeed, whatever cuts were proposed by the representatives in the popular chamber (Assembly) and whatever reductions in expenditure were proposed were either restored or certified by the Governor-General. Where then was the element of responsibility in the Central Government? It was no use in deluding themselves and in deluding the people that this Government was based on the popular will, because neither in theory nor in practice was there responsibility. This was the view not only of the Swarajists, but of also the Independents as evidenced by the rejection of allowances for members of the Executive Councillors. The moment that motion was carried in the Assembly, the members of the Executive Council, particularly the Indian members, ought to have resigned their seats, because they were on the Executive Council, not merely to carry on the administration of Government, but to voice the popular view. There could be no better means of voicing that view than by resigning their seats after the vote of censure was carried. They would have thus established a convention where none existed.

Proceeding, Mr. Ramadass referred to the policy of the Government on the question of the Reforms when the President said, that he would not allow a general discussion of the Reforms or general policy of the Government on a motion for consideration of the Finance Bill. The members would be in order on such a motion to criticise the financial policy of the Government. Beyond that the President would not allow any other subject.

Mr. Ramadass drew the attention of the President to the fact that in the lower house, the President allowed a discussion of the general policy of the Government and on the Reforms when a similar motion for consideration of the Finance Bill was made. He appealed to the President to admit discussion with a view to clarify the situation.

After a few seconds Mr. Ramadass said, that if the President was to stick to his ruling, then he was obliged to confine his observation to financial policy. Mr. Ramadass then referred to military expenditure and complained that the Legislature had no hand in framing the budget. There was no need to provide for debt redemption at a time when the credit of the Government of India was high. There was need for reducing the postal rates, the duty on kerosene oil and salt tax and not provide prematurely for paying up money borrowed for productive capital. The whole position turned on the fact that the Government of India was not based on popular will. Let the Executive do as they please. It was the duty of those elected by the people to refuse to consider the Bill.

Sir Narasimha SARMA, leader of the House, vigorously challenged the statement of Mr. Ramadass that the Government of India did not enjoy the confidence of the people of this country. So many half-truths and untruths and mischievous misrepresentations had been made both here and in the interests of the general well-being of the people that the Government ought not to allow the challenge of that description to go unanswered. He regretted to find that Mr. Ramadass and his friends had adopted an attitude which if persisted would only lead to disaster. As a senior member of the Government he wanted to explain the progress made in India during the last five years to show that far from deserving a vote of censure they deserved a vote of confidence. They deserved the recognition of sympathy and satisfaction, if not gratitude.

When Sir Narasimha SARMA proceeded to detail the achievements of the Government, Mr. Ramadass asked the President to state if, when he had ruled out a discussion of the general policy of the Government in any particular, the leader of the House could dwell upon the achievements of the Government.

President: I was awaiting to see if the leader of the House did intend to refer to any specifications of the Government in detail. I shall be obliged if the leader of the House confines himself to the general aspect and not make any detailed references except on the financial policy of the Government.

Sir Narasimha SARMA said that he did not want to deviate from the ruling of the chair. He contended that financially the Government had inherited a very difficult situation in 1920 but they had been able to overcome and present a satisfactory budget. It would be remembered that men's minds were unhinged as a result of the war and immediately after there were the Punjab occurrences followed by failure of crops and the influenza epidemic. The Government had at such a time to meet Treasury Bills to a large amount and there were also at the time external disturbances requiring additional expenditure. But the Government with the assistance, the loyal assistance and co-operation of both the Houses of the Legislature, were able to face the situation. Were we to embark on a policy of retrenchment? True, the military expenditure was large and that if money was required for development purposes the military expenditure should be reduced. As a result of their policy the Government have been able to maintain cordial relations on the Frontier. They had established the Chamber of Princes and made other changes which brought the Indian States under the direct control of the Government of India. These would in course of time make possible for the constitution of a federal Government.

The Government had not been idle in the economic sphere either. They had spent more than 50 crores and brought 20 million acres under crops. The Railway programme had been pushed forward. The Cotton industry had been placed on solid foundation. A policy of discriminating protection was being followed in order to help the Indian industries and labour legislation had been taken in hand. So everything had been done so far as financial circumstances permitted. Now the position was bright. The Government of India was now pursuing a policy of reducing outside debt and Sir Basil Blackett was doing everything in that direction. It was just what they in the Congress had been demanding for several years. The Government had now provided for the healthy Indianisation of the services. Thus it would be seen that since 1920 they had advanced a great deal.

No Government could say it had not made a mistake; but the Government of India practised extreme tolerance to show to a certain section of the Indian people the unwisdom of carrying on their unhealthy activities. He admitted that they had not fully succeeded in doing so; but the heart of the people was sound and if only the ignorance of the masses was not taken advantage of by a certain section the situation would vastly improve.

He did not want to deal with the question of reforms in detail. It was perfectly legitimate on the part of those who had entered the Legislature to advance the cause of the Reforms to the extent that prudence dictated, but he had been asked by Mr. Ramadoss to resign because the Assembly had carried a motion refusing allowances for members of the Executive Council. If he (Mr. Sarma) felt convinced that he had done anything in the Executive Council of which he was ashamed, if he felt that he was not receiving that co-operation from his colleagues on the Executive Council then he should have felt bound to resign his place. But to ask him to resign merely because the Assembly wanted to make a general attack on the Government policy was ridiculous. If Mr. Ramadoss could show that the Government had on any particular account done anything detrimental to the interests of the public of this country he would certainly resign. The motion to which Mr. Ramadoss referred related to the resentment of the Assembly that the Muddiman Committee Report was not satisfactory. The Government of India had not even discussed that report and yet friends of Mr. Ramadoss wanted the members of the Executive Council to resign. If the Government of India as a whole had come to a decision which in his (speaker's) opinion was detrimental to the interests of the people of this country then it would be time for him to resign. Meanwhile to ask him to resign was ridiculous. If the Government members were to take their position of responsibility so lightly and were to resign their seats on a motion of the description to which Mr. Ramadoss referred then the Government would be powerless. Indeed, he refused to think that any responsible member, European or Indian, would give weight to a vote of that description.

Sir Basil BLACKETT said he did not propose to deal with the political question which had been fully and admirably dealt with by Sir Narasimha Sarma. If the policy of obstruction was to be pursued to prove that the framers of the Constitution were wise in putting emergency provisions that had arisen that purpose had been served; but continuance of that policy would not take them a step further.

First of all he concentrated on meeting the criticism often advanced about high taxation that had been imposed since 1913-14. Some had said that taxation had gone up by 48 crores and some had put forward other figures. He took the trouble to ascertain the correct position by comparing revenues in 1913-14 with that in 1923-24, when fresh taxation was imposed last. The revenue of India in 1913-14 stood at a total of 71 crores, 85 lakhs, inclu-

ding proceeds from land revenue of 31 crores, two lakhs. The revenue of India in 1913-14 stood at a total of 71 crores, 85 lakhs, including proceeds from land revenue of 31 crores, two lakhs. The revenue of India in 1923-24 stood at a total of 135 crores, 86 lakhs. Taking the index figure of 100 the revenue of India had increased from 100 to 187 from 1913-14 to 1923-24. During the same period the population of British India had increased from over 243 millions to over 247 millions. The revenue in 1913-14 was calculated to be Rs 2.15 per head compared with Rs. 5.8 per head in 1923-24. The main increase in the revenue had occurred under Customs and Income-tax. Of course, the customs duty was paid by the whole of India and not merely by British India.

He next turned to examine the increase in wholesale prices and taking the index figure of Bombay he found that during the same decade wholesale prices had risen from 100 to 182. Thus between 1913-14 and 1923-24 taxation had gone up almost exactly in proportion to the increase in prices. Therefore the commodity value of the Government revenue was very little more than what it was before. He did not say that the point was very accurate, but these figures should supply a useful corrective to unthinking statements that the cost of administration and military expenditure had risen to staggering proportions. The Government record was thus better than its critics would allow. People who went into a shop to buy goods to-day paid the same proportion for value of the services as they paid for the services of the Government compared with 1913-14. This was creditable when they recognised that during the decade the great war had occurred and had cost India considerably.

In the case of railway fares and rates the department of Sir Charles Innes was charging lesser in proportion to the increase in wholesale prices. Therefore railways in terms of commodities were cheaper to-day than before the war. Prof. Hamilton delivered the other day an interesting lecture in Patna on the subject. So far as land revenue was concerned the return from it had risen during the decade from 31 crores 20 lakhs to 34 crores 62 lakhs. Thus in terms of commodity the burden of land revenue had been considerably diminishing and wherever there was permanent settlement it went on diminishing as prices changed. He had made these observations to apply correction to the charge of extravagance against the Government. The whole system of taxation was however now under enquiry. He hoped this was the subject in which the whole country was interested. He realised that the fact that taxation had not been above the commodity value compared with pre-war prices, did not mean that the burden on the individual tax-payer was the same. He expressed his views on the rupee tax a fortnight ago.

His speech should not be understood as suggesting that he was not in favour of reduction in taxation and expenditure. As regards army estimates he did not think they could now look forward to large savings under this head though they would continue to economise as far as possible. He thought improvement should be in the direction of increased yield from the existing sources of taxation. He also hoped that as a result of the debt redemption scheme considerable saving would result in charges on account of interest. Indeed he looked forward to a decrease in expenditure under this head and to increase in their total revenue to get rid of provincial contributions and make reductions in other items. They had however to remember that some items like excise and opium revenues were not on secure footing. On the other hand he hoped for increase from such sources as railways.

The motion for taking the Finance Bill into consideration was then put to vote and passed, only Mr. Ramadass crying "No."

## Restoration of Salt-Tax.

Mr. McWATERS next moved the amendment to restore salt-tax to Re. 1-4-0 per maund. This rate of tax, he said, had been in force for the last nine years with the exception of one year when it was doubled. The rate of Re. 1-4-0 was in force at the time the reformed constitution was put in operation and the promise of eventual extinction of provincial contribution was given on the basis of this tax at Re. 1-4-0. He now asked the House to restore that rate to enable the Government to redeem its pledge and reduce the contributions this year substantially. If, however, the tax remained at Re. 1 the Government would lose Rs. 90 lakhs this year and 125 lakhs in the succeeding years. They would thus lose 6 crores in 5 years at a time when the provinces were crying for money for schemes of development. This morning's telegram reported that the Madras Council had unanimously carried the motion of adjournment against the reduction of salt tax by the Assembly. Indeed the speaker felt that one of the causes which had retarded the healthy development of the constitution had been lack

of funds. As regards the so-called burden on the consumer which reduction in duty by four annas would relieve it would result in the removal of the tax of three-fifths of an anna per head per annum. This might be the only gain to the consumer on a theoretical basis but in practice even this would go in to the pocket of middlemen. For the sake of this insignificant advantage they were sacrificing 125 lakhs a year. Indeed they would be sacrificing substance for shadow.

Mr. RAMADASS opposed the Government amendment. The Assembly, he said, was primarily responsible for taxation and should not be upset. He held that man's right to eat salt ought to be as free as his right to breathe air. Mr. Ramadass contended that the budget contained room where retrenchment could be made and the salt tax be fixed at Re. 1 decided by the Assembly. It was not the duty of the Council to frame the budget. That was the function of the Executive. This Council had no hand in it.

The House divided and Mr. McWatter's amendment to restore salt duty was carried by 85 votes against 4. These 4 were Mr. V. Ramadass, Mr. K. V. Rangaswamy Iyengar, Mr. Vedamurthi and Mr. Karandikar.

## Reduction of Postal Rates.

Mr. RAMADASS next moved the amendment to reduce the rates of postcards to quarter anna. He said that the raising of postal rate was a war measure and it was high time that some relief was given to the poor specially when the cost of living had gone up. Against the argument that the higher rates were justifiable because the Post and Telegraph Department should be self-supporting, Mr. Ramadass said that the postal department rendered services to many departments like Customs and also to Indian States. Unless the accounts were separated and the principle of commercialization was thoroughly introduced, it was difficult for the House to know how much the department had contributed towards the running of the Postal Department. The rate of postage could be reduced by reducing the number of highly paid superior officers. He strongly appealed to the House to support his amendment.

The amendment of Mr. Ramadass was rejected without division.

### Finance Bill Passed.

Mr. McWATTERS next moved that the Finance Bill as passed by the Assembly and as amended by this Council be passed.

Mr. RAZA ALI took the Assembly to task for reducing the salt duty on a false issue, thereby placing the members of this House in an awkward situation. He justified the salt tax being put at one rupee and four annas, but suggested that the question of reduction might be seriously taken next year.

Mr. KARANDIKAR, while supporting the passage of the Bill, asked the Government not to forget the poor man's salt. If necessary they might consider the situation in the light of the recommendations of the Taxation Enquiry Committee.

Mr. RAMADASS opposed the passage of the Bill and said that in so doing he was only entering a constitutional protest.

The Bill as amended was passed. Mr. Ramadass being the only dissident.

### Remission of Provincial Contributions.

On the 23RD MARCH the Council of State disposed of official business only. Loud applause greeted the announcement made by the Secretary that the Legislative Assembly had agreed to the amendment made by the Council of State to the Finance Bill, namely restoration of salt tax. Mr. McWATTERS moved the Government resolution regarding remission of provincial contributions in the same terms as was passed by the Legislative Assembly on the motion of Sir Basil Blackett. The speech with which the Finance Secretary recommended the acceptance of the resolution was brief and in the main covered the grounds advanced by the Finance Member in the Assembly. He added that the Government was grateful to the Council and the Assembly in passing the Finance Bill in the form presented by the Government and thereby enabling them to make substantial remission of contributions.

On the motion of Mr. Lallubhai SAMALDAS the Council agreed to the addition of a rider to the resolution recommending to Provincial Governments that the amounts released or given to the Provincial Government be mainly devoted to expenditure in the Transferred departments.

Mr. McWATTERS did not oppose the amendment, but he made it clear that the circumstances differed in each province and the Government had no information justifying any

partition of sums between the two sides of the Provincial Governments. The Government was anxious that as much money as was available should be spent in nation-building departments, but the Government must approach the matter with caution.

The amendment of Mr. Lalubhai Samaldas was carried and the original resolution with this rider was accepted.

#### Other Measures.

On the motion of Mr. Chadwick, Commerce Secretary the Council passed the Indian Tariff Bill as passed by the Assembly. Then finally on the motion of Mr. McWatters the Stamp Bill and the Income-Tax Amendment Bill as passed by the Assembly were passed.

On the 24TH MARCH on the motion of Sir Mahomed Habibullah, the Council passed the Cotton Cess Act Amendment Bill as already passed by the Assembly.

### The Bengal Ordinance Bill.

Sir Narasimha SARMA then announced that the only business left was the Bill to supplement the Bengal Criminal Law Amendment Act, and it was hoped to place the Bill before the Council the next day in the form in which it was originally introduced in the Assembly.

A good deal of discussion ensued as to the date on which the Bill should be discussed in the Council. Divergence of view was expressed and eventually the President decided that it would be convenient both to the Government and the Council if the Bill was formally placed before the Council the next day and discussion taken up on Thursday the 26th.

Accordingly the Bengal Criminal Law Amendment Act Supplementary Bill, as recommended by the Governor-General was placed in the Council of State on the 26th March and discussed next day, the 26TH MARCH, for over five hours and passed, oppositionists not claiming division although they had opposed the Bill, especially clause 6, which suspends the Habeas Corpus Act.

Earlier in the day, the motion for the consideration of the Bill was vigorously opposed by non-officials, but was carried by 20 votes against three, the latter being Messrs. Rangaswami Iyengar, Karandikar, and Sukhbir Sinha, while during the discussion, Messrs. Ramadass and Vecamurthi had walked out of the Chamber as a protest against the passing of the Bill at the point of the bayonet, as they described Lord Reading's recommendation.

Mr. CREER, in moving that it be taken into consideration, said he did not intend to inflict upon the House a recapitulation of the melancholy series of crimes and outrages which had rendered necessary the enactment of special legislation in Bengal. The Governor-General in promulgating an Ordinance for that purpose issued a statement and though he regretted that some tragic items had still to be added to that tragic category it still stood a concise and cogent justification of the action which was then taken and which the Council of State was invited to endorse. The formidable recrudescence of revolutionary conspiracy, designed to subvert the Government by violence, and the preparation of a series of horrid outrages with that object, could no longer be regarded as a matter of controversy. The facts were on record. They were admitted even by those who most solemnly denounced the action of the Government and they were avowed by revolutionaries themselves. It was unhappily the fact that when a matter such as this had been for a long time under discussion and under controversy there was a dangerous and deplorable tendency for the facts to degenerate into phrases. He urged the Hon. Members to envisage the circumstances of those facts and give due weight to their terrible implications. It appeared to him a very difficult conclusion to say: "A revolutionary conspiracy with these objects was in existence; but it was not a matter of great importance."

They were not dealing merely with academical associations of theoretical Nihilists, but with men who believed less in propaganda and pamphlets, than in pistols and picric acid, who, though they indulged in both preferred murders to manifestoes and who had acted and were prepared to act on these beliefs and these preferences. The Government did indeed require special procedure in order to give due application of penal laws. Above all else, what they required was an effective measure of prevention, of precaution and of protection and those which had been taken were not hasty and ill-considered expedients. They had emerged from prolonged and exhaustive enquiries of the past and ascertained results of experience. They were supported by a consensus of opinion from successive Governors and from judicial, administrative and executive officers of every variety of experience. Could it be argued that these were hasty, ill-considered and rashly

undertaken? Measures of this character were resorted to in Bengal during the years of war and the immediate result of those measures was that, by the year 1918, an end had been put to the long series of similar outrages which unhappily found their place in the annals of Bengal in those years.

Continuing, Mr. Crerar said it would be abdication of the Government to permit a revolutionary organisation to pursue its course and perfect its machinery to a stage which would enable it to suspend the rule of law and defy the Government. So long at least as the axiom was accepted, the fundamental duty of the Government was to preserve public security on which political advance and all functions of a civilised organism depended.

Turning to the immediate object of the Bill, the Home Secretary said in the first place it provided for an appeal to the High Court by any person convicted on trial by commission. It provided also for confirmation of any death sentence which might be passed by the Commissioners. Those were the safeguards which the Government of India and all authorities who had to consider this measure deemed necessary and proper in order to ensure a just and equitable operation of the Bengal Act now on the Statute Book. There were provisions which would authorise the Government of Bengal in any case in which it was found necessary to commit a person to jail outside the province of Bengal and the object of that was the interests of public security, in order that, when such a necessity arose, a person against whom such an order was made may be removed from his dangerous associations and from the scene of his activities. He did not deny that the grant to the Executive Government of the powers of that character was a very serious matter, but if this measure was to have any effect it must be made effective from the outset. He had heard the authority of Lord Morley quoted as a ground of criticism against the principles of such a measure. In reply he quoted Lord Morley in which the latter had said that his view was that the powers given under the Regulation of 1818 did constitute in emergency powers which might be lawfully applied, if there was an emergency.

Concluding Mr. Crerar did not think that he had left it open to any candid Judge to enquire whether behind the brief clauses of this Bill or the more comprehensive, but equally undisguised provisions of the measure which it supplemented, there was concealed any subtlety of policy or any unexplained intention. It had been alleged that this measure, taking advantage of some insane outrages committed by irresponsible and isolated individuals, was aimed at a political party whose activities had been embarrassing to the Government. He would not plead to a charge so absurd, so manifestly untenable, so remote from facts; but he would not deny that this Bill was inspired by a political motive. The Government of India were, with His Majesty's Government and with the Parliament and with the British people, pledged to a programme of political advance in India towards Self-Government. "They perceive clearly, perhaps more clearly than their critics who are not so closely in touch with the forces which make for progress as with those which make for retardation, that nothing could be more fatal to these intentions and these aspirations than the obstacles which are interposed by lawlessness and violence by the cult of the pistol and the bomb. The Government are determined to do all that in them lies to remove these obstacles and to keep open the path for all men of good-will to walk in, without let or hindrance. That is the political motive, and is the resolve, the determination which inspires this measure." (Applause.)

Mr. YAMIN KHAN regretted that in promulgating the Bengal Ordinance, the Governor-General did not share his responsibility with the Indian Legislature. This Bill was to supplement that Ordinance, and what was more regrettable was that it had come before this House with the recommendation that it be passed in the form as originally introduced. The necessary conclusion was that this Council had not the right to say that it agreed to this clause and was opposed to the other. Now, however the Governor General has taken upon himself the entire responsibility for the passage of the Bill in the form as introduced and on the basis of facts which had been communicated to him by the Bengal Government, but which had not been placed before this Council. In the circumstances it was not fair for this House to either oppose or support the present Bill. The only possible course was to leave the Bill to be passed by those members who wanted to share the responsibility with the Governor-General. He, for his part, was not prepared to accept the responsibility, because he was not convinced of the necessity for the Ordinance. No doubt Lord Reading considered it necessary to pass the Bill as recommended; but the procedure adopted by the members of this Council would have been very different if the Bill had come up before this Council in the first instance. On the other hand, it had been certified by the Governor-General. There must have been certain reasons which made the Governor-General adopt this attitude; but this Council was



not in possession of even those reasons. He therefore, left the Bill to be passed with the vote of those who were in possession of the secret facts and felt that it must be passed.

Mr. NATESAN said he could not respond to the appeal of Mr. Crerar. He spoke, he said with a deep sense of responsibility and with a heavy heart. He confessed with shame that there was an anarchist movement in Bengal, the existence of which was acknowledged by more than one leader of a well-known party. He condemned the anarchists, because they were enemies to India. It was nothing but illusion to suppose that self-government could be achieved by anarchist methods. He did not share the view that the Ordinance was aimed at Swarajists as such. He agreed that the anarchist must be put down, but he did not agree with Mr. Crerar that the Ordinance and the Supplementary Bill were the only methods of putting down anarchists. Facilities which were given even to Sir Roger Casement had been denied to the accused under this Act. While on the one hand the right of appeal had been conferred, on the other hand the ancient privilege of Habeas Corpus had been denied and the accused could be detained for any indefinite period. Much had been said of Lord Morley's views. Mr. Natesan argued that much water had flown under the bridge. It was a matter of deep regret that this Bill had been brought before the Legislature at a time when the non-co-operators were becoming co-operators. The Bill would also become an Act, but he asked the Government to realise their responsibility in this matter. He urged the Government to see that the evidence against each accused be placed before the Commissioner and that all reasonable facilities be given to him to explain his innocence. He feared that by bringing this Bill, in the manner the Government had done, they were thinning the ranks of the co-operators. He begged the Government not to convert India into another Ireland. Indians were for transforming the existing system of Government only by peaceful and legitimate methods and therefore nothing should be done which would interfere in this, their noble task. He regretted he could not support the motion of Mr. Crerar.

Sir D. P. SARVADHIKARI in a lengthy speech opposed the consideration of the Bill. He analysed the Ordinance in great detail and said it was difficult to consider a measure of this character. He did not think that such an emergency had arisen to warrant a measure of this description. Materials had not been placed before this Council to prove the necessity for the promulgation of the Ordinance and much less for the inclusion of some provisions of the Bill, especially the removal of the right of Habeas Corpus. He was prepared to admit that there were revolutionary criminals in Bengal; but he was not prepared to admit that there was a revolutionary movement for the furtherance of political wants and aspirations. Sir D. P. Sarvadhikari then examined the Ordinance from the legal and constitutional aspect and complained that it has been brought before the House for consideration. Sir. P. C. Mitter, who was a party to the framing of the Rowlatt report, was opposed to the Ordinance Bill. He (the speaker) asked what was the necessity for providing for the removal of prisoners to other province, when there were endless number of jails within Bengal. He severely criticised the removal of the right of Habeas Corpus and said in the face of this provision he could not consider the right of appeal to the High Court as any very much hopeful provision. In conclusion he opposed the consideration of the Bill.

Mr. VEDAMURTHI regretted that owing to his ill-health he was not able to take an active part in this session, but his ill-health could not prevent him from recording his protest against the introduction of the Bill. He was entirely opposed to the principles that underlay the Bill, and the policy enunciated in it. He held that the suspension of Habeas Corpus was a very extraordinary procedure which deprived a citizen of his most cherished right. Proceeding Mr. Vedomurthi said that there was an impression in the country that the Council of State was a handmaid of the Government of India and that it existed in the constitution only to register the decrees of the Government. Even this Council to-day was offered an ultimatum in the shape of not only a recommended Bill, but of a certified Bill by the Governor-General. It was an insult to the House to be called upon to pass the Bill at the point of the bayonet. It was a sheer waste of time to discuss the Bill as the Government had come with the determination of not being convinced. Their discussion and adverse vote would not make the Government deviate even by a hair's breadth from the course they had chalked out for themselves. The discussion would only be a farce. He felt that he could not therefore be party to the passing of the Bill and he declared that, to emphasise his protest against the Bill, he would withdraw from the House when the Bill was under discussion.

After his speech Mr. Vedomurthi bundled up his papers and walked out of the Chamber with a bow to the chair.

Mr. KARANDIKAR opposed the consideration of the Bill. He said that the whole affair betrayed lack of trust by the Government for the people of Bengal and also for their own judiciary. He saw no justification for the Government to deprive their judiciary of its powers. He referred to the Bengal Bill before the local Council of Bengal and how it was opposed by prominent public men of that province. He then criticised the Bill under discussion in detail and said that High Courts should not be deprived of their powers. No case had been made out for the suspension of the Habeas Corpus Act.

Lala Sukhbir SINHA also opposed the consideration of the Bill. He averred that he was not for any revolution in the country. Men of position and property wanted protection of life and property. It was a pity that in recommending this Bill the Governor-General had taken the entire responsibility for the passage of the Bill on himself. He had forgotten that the members of this House had some responsibility in the administration of the country. In regard to the promulgation of the Ordinance he did not consult the Central Legislature. There the matter rested and the responsibility rested with the Governor-General. What was the use of this Council now discussing this Bill when it had been certified? Therefore he thought that they should not consider the Bill on its merits, but leave it to the Government to do what they thought best for the country.

The Raja of DIGHAPATHIA (Bengal) regretted that he was unable to support the Bill. He feared this Bill would not have the desired effect but might have the opposite effect. There was nothing but martial law in Bengal and any man could at any time be arrested by the Police without any warrant. It was not right to punish the whole province of Bengal for the crimes of a few. Already ninety persons had been arrested and detained for several months. The appointment of Commissioners was a mere eye-wash. Moreover it was difficult to understand the necessity for a provision enabling the Government to transfer the prisoners from Bengal to jails outside Bengal. This would create unnecessary hardship to the prisoners. Concluding the Raja said he had received several communications from several associations in Bengal asking him to emphatically protest against this Bill.

Syed RAZA ALI said the right of appeal given to the accused dwindled into insignificance before the suspension of the Habeas Corpus Act contained in Clause VI. The implication of this clause was very serious. A man could be detained for any length of time without information against him being put to the judicial scrutiny. The Repressive Laws Committee had clearly laid down that restraining the personal liberty without trial of any subject was inconsistent with the recent constitutional changes and therefore the committee recommended that to be repealed. Section 491 of the Criminal Procedure Code expressly exempted action under the Bengal Regulation from liability to a writ of Habeas Corpus, because the Government had declared that their policy was to confine their operation of the regulation within the strict limits proposed by the Repressive Laws Committee, that is, to be used only in the Frontier and backward tracts and not to be used in cases of internal commotion. But the Police of Bengal had been given extraordinary powers to arrest any person without warrant. The very fact that these measures were necessary showed that the Bengal Police was not so efficient as it ought to be. He, for one, would not give a *carte blanche* to the Bengal Government to order the Police to do things as they liked. He feared that under the Act a Police constable was a mightier individual than Sir Alexander Muddiman and Mr. Crerar. (Laughter.)

Mr. V. RAMDAS (Swarajist) said that two years ago this Council was invited to co-operate with the Government in taxing the poor man by doubling his salt tax and the members very obligingly accepted the invitation of the Government. To-day they were invited once more to accede to the Viceroy's view that this Black Bill was essential for the good of India. He declined to accept that invitation. Their co-operation was only wanted when something extraordinary was required to be done against the wishes of the whole country and of the Assembly. As to the utility of discussion and debate he argued that the representatives of Bengal and of India had unhesitatingly and in no uncertain terms condemned this Black Bill. After the rejection of three clauses of this measure in its present obnoxious form, they could not reject the Bill, nor could they allow it to become law. He held therefore that there was no use of discussing and debating the clause of the Bill. Similarly it was no use to convince the bureaucracy who were the steel frame of the Indian constitution and who were not liable to change its views. He emphatically entered his protest against the misuse of Section 67-B of the Government of India Act. Concluding, the speaker felt that without doing any injustice to his electorate and without failing to discharge his functions, he must withdraw from the deliberation of the Council so far as the debate of this Bill was concerned.

After Mr. Ramdas had concluded his speech, he walked out of the Chamber.

After Mr. Ramdas has left the Chamber in protest against the passing of the Bill, Sir Alexander MUDDIMAN addressed the Council. He said that in bringing the Bill in the recommended form, there was no intention of treating this House in any other way than with the greatest respect. He had for sometime enjoyed the honour of presiding over the deliberations of the Council of State and he would do nothing to lower the dignity and the great reputation which this Council enjoyed in India. It had been suggested that the Bill had been brought forward at the end of the session. That was not the fault of the Government. They had to lay the Bengal Criminal Law Amendment Act itself before the two houses of Parliament for eight working days, and the Act itself received the sanction of His Majesty only on the 18th March. No surprise was sprung on this Council as had been alleged by some members, because this had been before the Councillors since last Friday. Regarding the necessity for the Act itself Sir Alexander Muddiman said, that the fact of a very serious terrorist conspiracy making the life of the man in the street intolerable, was admitted. The ordinary law had broken down. Juries had failed in their duty. The witnesses were intimidated and Bengal was sliding slowly towards that state which filled everyone in Bengal with sorrow, with horror some years ago. It had been argued that the action taken by the Government was not the right one, but no one had suggested any alternative. The Raja of Digapathia had stated that the situation in Bengal was something like the Martial Law regime, but under the Martial Law, the suspected person could be shot. Did they want it in Bengal?

Concluding, the Home Member appealed to the Council to shoulder some part of the responsibility which attaches to the maintenance of law and order in India. It had been a charge repeated by those opposed to reforms in India that the legislatures did not favour any action taken by the Government for the maintenance of law and order. He did not suggest that this House should blindly without consideration endorse all that had been proposed. It was a matter on which the Members must examine their own conscience very closely, and see whether they were justified in refusing that support to the Government which it was the right of the Government to look for from the Central Legislature, and the House in particular.

Mr. CRERAR emphasised that there was a revolutionary conspiracy very well organised and sustained. In support of this statement he pointed out that there had been large importation of ammunitions which could not be obtained by any legitimate means. Then there was distribution of a very large number of revolutionary publications, and thirdly there was manufacture of a highly efficient type of bomb. The object of these revolutionary organisations was the overthrow of the Government established in India by force and subvert the social organism which was the primary duty of the Government to support.

Mr. Crerar's motion that the Bill be taken into consideration was put to vote and carried by 29 votes to 3.

The 3 members were Messrs. K. V. Rangaswamy Iyengar, R. P. Karandikar and Sukhbir Sinha. The 29 members were Sir Narasimha Iyengar, Sir Mohamed Habibullah, Mr. Abbott, Sir Charles Mewatt, Mr. Berthoud, Mr. Zahirudin, Mr. Dawn, Mr. Chadwick, Mr. McWatters, Mr. Crerar, Mr. Ley, Col. Patterson, Dewan Tekchand, Sir Umar Hayat Khan, Sardar Charanjit Singh, Nawab of Loharu, Mr. Shyam, B. Misra, Mr. K. N. Mitter, Mr. Wild, Raja of Dumraon, Major Akbar Khan of Hoti, Mr. Dutt, Mr. Natesan, Mr. Khaparde, Sir D. P. Sarbadhikari, Raja Digapathia, Mr. Raza Ali, Mr. D. C. Barua, and Khan Sahib Amanali.

After launch, that is, after Mr. Raza Ali's speech, the first three clauses were passed without any discussion. A short discussion ensued on Clause IV which authorises the Government to order custody of prisoners in jails outside Bengal, but this clause too was passed without any slight opposition.

The last clause, that is, suspension of Habeas Corpus Act, was opposed by Mr. Raza Ali and Dr. Sarbadhikari, but the Home Member emphasised that they could not have revision of the grounds of action by a Judicial Tribunal when ex-hypothesi they were enacting a law in which they could not disclose the sources of information. The clause was put to vote and a few members said 'No', but no member claimed division when the Bill (as recommended by the Governor-General) was put to vote and carried. Here again a few members said, 'No', but did not claim division.

The Council then adjourned *sine die*.

## The Autumn Session

SIMLA—25TH AUGUST 1925.

The Autumn Session of the Council of State commenced on the 25TH AUGUST in the Council Chamber at the Viceregal Lodge. Feeling references were made to the deaths of Lord Rawlinson, Mr. C. R. Das and Sir Surendranath Banerjea.

A resolution moved by Mr. Khaparde for an enquiry into the condition of the piece-workers in Government presses was rejected.

A resolution of Sir D. P. Sarbadhikari for a delegation of a few elected members to form the nucleus of a convention to draft a constitution for British India was postponed, as the Government motion on the Muddiman Report was going to be placed shortly before the House.

On the 26TH AUGUST Six Government Bills were introduced in the Council of State without discussion. These included a Bill to supplement the Oudh Courts Act, 1925, a Bill to amend the Criminal Tribes Act, and a Bill to amend the Cotton Transport Act, 1923. By the latter Bill Local Governments were given some discretion in the matter of restricting the import of cotton in any protected area.

Sir Narasimha Sarma introduced a Bill making very minor alterations in the Trusts Act, 1882; Electricity Act, 1910; Mines Act, 1928; Workmen's Compensation Act, 1923; Civil Procedure Code Amendment Act, 1923; High Courts Jurisdiction Act, 1872; and the Criminal Procedure Code, 1892; and repealing the Burma Laws Act, 1898.

A Bill was then introduced supplementing certain provisions of the Madras, Bombay and Bengal Children Acts, which contain provisions affecting the appellate and revisional jurisdiction of the respective High Courts. It was held that such provisions are ultra vires of the local Legislature. Hence this validating measure. The last Bill introduced was one to amend the Ports Acts, 1908, by which the Government of India was empowered by notification to exempt, from the operation of Section 31 for any port, sailing vessels below a specified tonnage.

### The Oudh Court Bill.

On the 31ST AUGUST, on the motion of Mr. CRERAR the Bill to supplement the Oudh Courts Act, 1925, was taken into consideration. Dr. Dwarkanath Mitter moved a series of amendments for the addition of the words "or Chief Court" after the words "High Court" in several clauses of the schedule to the Bill. He pointed out that without such additions the position was not clear, especially in regard to the rule-making powers of High Courts.

Sir Narasimha SARMA said that the Government of India had followed exactly those sections which had been referred to in the Oudh Courts Act. The High Courts, constituted under the Government of India Act and the Chief Court of Oudh, would have to appoint a rule-making committee and would have to take the committee's report into consideration before the rules were framed, whereas in the case of other Courts the constitution of a committee was not compulsory before the rules were made. Moreover, the expression includes a Chief Court under the General High Court Clauses Act.

Syed RAZA ALI, on behalf of the people of Oudh, expressed gratitude to the Government for establishing a Chief Court for Oudh. He looked forward to a time when the Chief Court would be raised to the status of a chartered High Court at Lucknow, the jurisdiction including some western districts of Agra Province. The Bill was then passed.

The Council next passed without discussion the Criminal Tribes Act (Amendment) Bill, the Cotton Transport Act (Amendment) Bill, the Bill amending certain minor enactments and repealing certain others, the Bill supplementing certain provisions of the Madras, Bengal and Bombay Children Acts and the Bill amending the Port Act of 1908.

### The Opium Evil.

On the 1ST SEPTEMBER Sir Devaprasad SARBADHIKARI proposed that the area for the cultivation of opium be restricted and brought under stricter control, and the practice of making advances to cultivators discontinued from next season.

Mr. McWATTERS said that in seven years the area of cultivation had been reduced from 200,000 acres to 116,000 and the Government had arranged to reduce cultivation next year to 74,000 acres. The Government were considering the question of concentrating cultivation in certain areas in order to bring it under stricter control. Moreover, the rate of payment to the cultivator had been reduced from Rs. 15 to Rs. 13 per seer. The average revenue from opium had been also reduced from Rs 8 crores to Rs. 114 lakhs. Export was allowed only under the licence system. Export would be stopped to those countries where opium found its way into illicit channels. He announced that an independent committee of the League of Nations would visit India and the Government would allow them to examine their system. The age-long practice of making advances to cultivators must continue, as otherwise the cultivators would be in danger of getting into the hands of money-lenders.

A suggestion for the adjournment of the discussion till next session was negatived. The first part of the resolution suggesting restriction of the area of cultivation was lost by 29 votes to 11, while the other part was rejected.

Mr. Yamin Khan next introduced a Bill to amend the Interest Act, which aimed at preventing the accumulation of interest.

On the 2ND SEPTEMBER Sir Henry MONCRIEFF SMITH, as President of the Statute Law Revision Committee and Chairman of the Joint Committee on the Bill to consolidate the law applicable to intestate and testamentary succession, moved for consideration of the Bill as it emerged from the Joint Committee.

Sir Henry said : The Bill, introduced two year ago by Sir Alexander Muddiman, purported to be a measure of consolidation. The Bill now before the Council had brought together all scattered law on the subject of intestate and testamentary succession and a large number of textual amendments had been made which were merely of a drafting nature. The Bill was passed.

### Repeal of Repressive Laws.

On the 3RD SEPTEMBER a heated debate was held in the Council of State on the motion of Mr. RAMDAS, Swarajist, for consideration of Mr. Patel's Bill passed in the Legislative Assembly last March repealing five special enactments, including the Bengal and Madras Regulations and the Prevention of Seditious Meetings Act.

An attempt by Dr. Dwarkanath Mitter for reference of the Bill to the Select Committee was also opposed as the Government would not commit itself to the principle of repeal when the ordinary law was not sufficient to deal with offences against the State.

Non-officials, including Sir Devaprasad Sarbadbhikari and Mr. K. C. Roy, emphasised that the Assembly had carried the Bill as a party measure, designed to create a political effect, and no detailed consideration had been given to the recommendations of the Repressive Laws Committee. By

agreeing to the Committee stage the Bill could be shaped in acceptable form, and the powers necessary for the Government to deal with dangerous offences against the State would be maintained.

The motion for a Select Committee was lost by 30 votes to 13.

In the discussion for consideration of the Bill a large number of speakers participated. Mr. RAMDAS, relying on statements in the Sapru Committee's report, pleaded for repeal of all five enactments, some of which, he alleged, were being applied by the Government for the suppression of all forms of political agitation.

Syed RAZA ALI, who remained neutral, justified his action by stating that while on the one hand Mr. Ramdas wanted a repeal of all five enactments, the Government, on the other, opposed even a Committee for consideration.

Sir Maneckjee DADABHOY opposed the Bill as a repeal of the enactments would result in anarchy, bloodshed and riots in the country, thereby impeding industrial, agricultural and commercial progress.

Messrs. Karandikar and Khaparde, supporting the Bill, pointed out that repeal of the enactments would not weaken the hands of the Government, as the Governor-General could promulgate ordinances in 24 hours whenever an emergency arose.

Mr. CRERAR, Home Secretary, opposed the motion. While he acknowledged Mr. Ramdas's moderation he did not agree that the Bill was moderate. The Bill before the House did not contain the enactments which were included in it when the original Bill was before the Assembly. The Assembly removed the Punjab Murderous Outrages Act from among the proposed measures for repeal and there was partial mitigation of the original Bill in so far as it affected the Moplah Outrages Act, but Mr. Patel had told the Assembly that he would introduce another Bill for the repeal of these two as well. In so far as the laws mentioned in the present Bill were concerned, they undoubtedly conferred upon the Government the power of committing to custody without a regular form of judicial trial. Mr. Crerar shared repugnance in the feature of the laws in question, but it was only hard necessity which compelled the Government to retain them on the statute book. The Repressive Laws Committee's report should be taken as a whole.

The Committee were themselves very much impressed by apprehensions of the future and, indeed, the ink was hardly dry when they had the Moplah rebellion, which was followed by a recrudescence of revolutionary activities in Bengal and the discovery of a Communist conspiracy in India. The judgment of the High Court in the Cawnpore Conspiracy case would reveal that the dangerous Communist conspiracy was not a thing of bureaucratic imagination. It had been alleged that these measures were archaic, antiquated and obsolete. They were not more archaic than revolution, not more antiquated than conspiracy and not more obsolete than assassination.

Retention of these laws was due to a very real danger. Persistent attempts had been made from foreign sources to introduce in India propaganda against India's peace and security as a whole and not merely on the frontiers. There was subversive propaganda in the form of incitements to murder and rebellion and in the concrete form of illicit arms and ammunition. That was a danger which could not be lightly diminished, especially when they referred to the case of China where the trouble was due to Communist activities. Mr. Crerar added :—" The Government of India have documentary proof to show that attempts have been made and are being made by Communist elements in China to secure connection with India."

Proceeding, the Home Secretary asked the House to consider the international obligations of the British Government in India with regard to its own undesirables, that is, those persons, like Indian Communist agents who were very recently in Germany. The German Government had applied to the Government of India to receive those agents on the ground that their activities were dangerous to the German State. The Government of India were bound to receive these agents back to Indian shores, but could the Government allow them to carry on their propaganda.

Concluding, Mr. Crerar said the real object of the Bill was not to improve the statute book but to impair the Government's power and weaken their responsibility. The obligations of the Government must be accepted and vindicated. No honest Government whether in its own interest and of the peoples committed to its charge or in the interests of its successors in title and liability can possibly be met with an aggression of this character and omit to repel it by every means in its power.

The motion for consideration of the Bill was put and lost, 9 voting for and 29 against it,

Mr. Phiroze C. SETHNA introduced his Bill to amend the Transfer of Property Act 1882. The object of the Bill was to amend Section 123 by providing an exception clause dealing with gifts.

On the 7TH SEPTEMBER the business of the Council of State was purely official and lasted only half an hour. After interpellations, Mr. Crerar moved for consideration of the Civil Procedure Amendment Code Bill 1908. There was no discussion and the Bill was passed. Similarly the Council agreed to the passage of the Bill to amend the Religious Endowments Act, 1863, which was brought forward in consequence of the recommendation of the Civil Justice Committee.

Mr. McWATTERS, in moving for consideration of the Bill amending the law relating to salt and salt revenue, said that its object was to bring under direct control of the Central Government the administration of salt in the Madras and Bombay presidencies. Apart from affording administrative convenience the Bill was in strict accordance with the spirit of the Reformed Constitution. The Council again without discussion passed this Bill.

The Bill conferring certain exemptions on members of legislative bodies was then taken into consideration by the Council at the instance of Mr. Crerar and passed, as was also the Sikh Gurdwara Act Supplementary Bill.

#### Indianisation of High Commissioners Office.

On the 8TH SEPTEMBER Mr. Sethna moved that steps be taken to Indianise the staff and establishment of the High Commissioner in London.

The debate lasted more than two hours and the motion was carried, with an amendment by Sir Maneckjee Dadabhoj suggesting that Indianisation must be carried out as far as is compatible with economy and efficiency, and must take place among the higher staff and establishment.

#### Transfer of Property Act.

Mr. SETHNA, in moving for consideration of his Bill to amend the Transfer of Property Act, said the object was to clear the doubt that at present existed whether assignments without consideration of certain actionable claims—those, for example, which consisted in life-policies, were governed by Section 123 or by Section 130 of the Act. It stood to reason that when a man assigned his life insurance policy to his wife, or other relative, a mere written instrument ought to suffice, and that he should not be put to the trouble and expense of getting the instrument registered. But Section 123 was capable of an interpretation by which registration

might be made compulsory, though unnecessarily, in the case of written instruments transferring without consideration actionable claims. This inconsistency might be removed by adding an exception to Section 123.

At the instance of Mr. Chadwick certain drafting amendments to give effect to the intentions of the mover were made and the Bill as amended was passed.

#### Women's Franchise Rules.

On the 9TH SEPTEMBER Mr. CRERAR, in asking the acceptance of the Council of State to amendments being made in the electoral rules as recommended by the Majority Report of the Muddiman Committee explained the history of the case by quoting recommendations of the Joint Select Committee. These recommendations referred only to franchise, that is, to the admission of women to electoral rolls as voters. There was no reference to their standing as candidates either for local Councils or to the Central Legislature. The Joint Select Committee expressly contemplated that the initiative in this matter must come from the Legislatures. The electoral rules provide that on a resolution passed by the Council recommending sex disqualification for registration to be removed in respect of women the Government should make regulations accordingly. In so far as admission of women to the franchise to vote was concerned no further amendment of the electoral rules than contemplated in the present resolution, either in the case of Provincial Councils or in the case of the Central Legislature was necessary. If the disqualification in respect of standing as a candidate for the Council of State was proposed to be removed then there should be a specific and separate resolution and the Provincial Councils must also pass similar concurrent resolutions. So far Bombay, Madras, the United Provinces and Bengal had passed such resolutions and Burma stood on a different footing. If a resolution to remove that disqualification was actually passed in this Council then it would apply in the case of these Provinces and would not apply to the other Provinces unless and until the Councils in those Provinces also passed similar resolutions. The question was whether the Council endorsed the recommendations of the Reforms Enquiry Committee that the electoral rules should be amended in such manner that if this Council subsequently passed a resolution removing the restrictions regarding standing as candidates and if the necessary concurrent resolutions were obtained in the local legislatures then disqualification could be removed.

The resolution was subsequently carried.

#### Bounty for Steel Industry.

The Council then discussed a Government resolution proposing payment of a bounty to the steel industry up to Rs. 60 lakhs for 18 months from the 1st October, 1925, to the 31st March, 1927, the bounty being at the rate of Rs. 12 per ton.

Mr. Chadwick said the case for a bounty rested on three-fifths of the quantity produced by the industry and pointed out that if Rs. 60 lakhs were granted it would considerably help the industry to establish itself. At the same time there was need for a reduction of the works cost and if the Government's anticipations proved true the Tata Company would earn a profit very soon.

Non-official members gave general support to the resolution which was eventually carried.

#### Indians in South Africa.

On the 10TH SEPTEMBER the position of Indians in South Africa, with particular reference to the Areas Reservation and Immigration and Registration Bill, at that time on the anvil of the South African Parliament, was discussed in the Council of State on the motion of Sir



Devaprasad Sarbadhikari, who urged immediate steps to secure and safeguard the rights of Indians.

Mr. Natesan and Mr. Ramdas Pantulu described the Bill before the South African Parliament as a direct violation of the Smuts-Gandhi agreement, and, if passed, the rights and privileges of Indians both born and domiciled there, would be taken away. Mr. Karandikar said the prestige of the British Empire was involved. Sir Umar Hayat Khan suggested repatriation if the problem could not be solved otherwise.

Mr. K. C. Roy strongly supported the proposal for a round-table conference, first suggested by Mr. Thomson (ex-Colonial Secretary) and said there was a clear case for intervention by His Majesty's Government so that there could be a solution, not in the interests of Indians alone, nor in the interests of South Africa alone, but in the bigger interests of the British Empire.

Mian Sir Fazl-i-Hussain accepted the motion and said that although the position was delicate, because South Africa was a self-governing Dominion, yet the door for negotiation was not still closed. When the Indian Government were negotiating for a round-table conference a bombshell, in the form of the Reservation of Areas Bill, was introduced in the South African Parliament. The Standing Emigration Committee, as well as Sir Devaprasad Sarbadhikari and Messrs. Motilal Nehru and Jinnah were of opinion that the Indian Government should use its good offices for a better understanding between India and South Africa and not for the intervention of higher authorities in the internal affairs of South Africa. The Government of India had already expressed disapproval of the Bill to the South African Government, and would follow it up with a detailed representation. The Government would try to secure justice and fair play, and not concessions.

#### Age of Consent Bill.

The Council next passed the Age of Consent Bill as passed by the Legislative Assembly with a minor amendment. There was a heated debate on the proposed age-limit in the case of marital relations, but it was accepted by a majority.

### The Reforms Enquiry Committee Report.

On the 11TH SEPTEMBER the Muddiman Report came up for discussion in the Council of State. Mr. CRERAR, Home Secretary, in moving the Government resolution for acceptance of the Majority Report asked the Council to see the problem in its true perspective not only of dimension, but of time. From the amendments to the resolution on the agenda it was clear that the leaders of all political thought in India had themselves definitely declared that the political progress of India must proceed on and be governed by these principles, but the Council must recognise the vast dimensions of the common enterprise. Durable institutions were of slow growth. He was not suggesting that India must wait for centuries to achieve her goal, but he pointed out that the inception of responsible government in India was not yet six years old.

There were legal and constitutional conditions inherent in the task itself. The first of these was sufficiently recited in the preamble to the Government of India Act, which states the fundamental doctrine of the responsibility of Parliament and that the time and manner of each advance can be determined only by Parliament. All responsible public opinion, however divergent in other matters, was agreed or, at least, was prepared to accept it as the basis of all practical discussion. "We must satisfy Parliament," said Mr. Crerar. "We must satisfy the tribunal that Parliament is to set up to examine and report on all claims and all evidence of every step that we propose should

be taken. We must use to the full all the resources in our possession, discarding none till its utility has been fully tried and found wanting. The co-operation invited and required by the Secretary of State and the Viceroy is not merely a stipulation made by one party to the negotiation, but a plain and candid statement of a fundamental condition for the solution of the problem which lies before us both, and without which neither can succeed. I, therefore, invite the Council to consider the resolution in this spirit."

Mr. SETHNA then moved his amendment, which was substantially the same as Pandit Motilal Nehru's amendment in the Assembly.

Mr. RAMDAS said his amendment was also on the lines of Mr. Sethna's amendment. He felt that the Government had no legal or moral right to continue to keep India as a dependency.

Sir Devaprasad SARBADHIKARI then moved his amendment suggesting a convention and otherwise materially covering the ground of Mr. Sethna's amendment.

Sir Alexander MUDDIMAN expressed disappointment at Mr. Sethna's speech. He regretted the reflection cast on the Maharaja of Burdwan who was one of the biggest zemindars in Bengal and had therefore as great a stake in the country as Mr. Sethna. He particularly regretted the prejudices against Indians who had been in the service of the Crown. If that was to continue India would not be as well served as in the past. The Minority Report had made only one recommendation, that the Constitution be ended and another Constitution be suggested by a Royal Commission. This House consisted of practical men, to whom he appealed to take a practical view of the situation.

Sir Maneckjee DADABHOY supported the Majority Report of the Muddiman Committee and regretted that he could not agree with the amendments of either Mr. Sethna or Sir Devaprasad Sarbadhikari. He did not want to discuss whether the majority was really a minority, but he accepted what was practicable and attainable, and not what was chimerical. The proposals of the Minority Report went beyond the scope and purpose of the Act, as their ultimate recommendation was the appointment of a Royal Commission. It was surprising that two signatories to the Minority Report should have supported the amendment of Pundit Motilal Nehru, because the proposals contained therein were matters for separate consideration and were irrelevant as amendments to the Government resolution, which had reference only to improvements in the Government machinery by rule-making powers. These amendments could not be moved constitutionally in the face of the preamble to the Act. The amendment asked for immediate full responsible Government, if not Dominion Government. Was it right or within the power of the Council of State to come forward with a catalogue of these formidable demands and ask by a stroke of the pen that the present Constitution should be set aside, and that a new Constitution should be given? Even the authors of the Montagu-Chelmsford Report did not contemplate such a demand. Concluding, Sir Maneckjee said: I have a large stake in the prosperity of this country. I yield to none, not even to Mr. Ramdas, in my love of country, but I believe that the policy adopted in these amendments, which are intended to defeat the main resolution of Mr. Crerar, is unwise and short-sighted.

Sir William CURRIE said that the business communities wanted the politicians to inspire confidence in their sense of responsibility. Businessmen wanted peace and quiet to carry on their avocations. If politicians could prove within the next two years their real desire to co-operate and that the minority would be protected and that business could carry on

peacefully, then Indian's political aspirations would not be opposed by the European commercial community.

Mr. KARANDIKAR said the difference between the Majority and the Minority lay in that one depended on the preamble while the other on the right of India to determine the stages of her advance by herself. Why should the amendment frighten Parliament out of its wits? It was put forward loyally in the interests of Great Britain and of greater India.

Dr. Dwarkanath MITTER disagreed with Sir Maneckjee Dadabhoy that the amendment offered an ultimatum. He however believed that as destiny had placed them under British rule they must accept the position in the preamble and depend upon the good wishes of Parliament for a future advance.

After a few more speeches the Council adjourned for the next day.

On the 12TH SEPTEMBER the Council of State concluded the debate on the Muddiman Committee Report.

Mr. K. C. ROY moved the addition of the following rider to Mr. Crerar's resolution :—" And that he do consider and recommend the appointment of a Royal Commission, or any other suitable agency, not later than 1927." Mr. Roy said that several members of the Assembly, particularly Pundit Madan Mohan Malaviya, had urged the appointment specifically of a Royal Commission. The Home Member admitted the day before that if co-operation was forthcoming, there was no reason why the Commission should not be appointed earlier than 1929. Sir Basil Blackett had also, in another place, indicated the same view. Mr. Roy believed that co-operation was forthcoming, and that the Swarajists were doing useful work as members of the various committees and in the Assembly. Acceptance of the proposal would mean a great gesture on the part of His Majesty's Government, and he appealed to the Home Secretary to accept his amendment on behalf of the Government and thereby record the necessary gesture.

Sir Alexander MUDDIMAN, in opposing the amendment congratulated Mr. K. C. Roy on his wise speech. The date of the Royal Commission, he said, was not so important as what the Commission was to go into. That material was not available now. What was required was not the capacity of the electorates alone, tried even thrice, but the sense of responsibility shown by the members of all legislative bodies sent up by the electorates in working the existing machinery. As Lord Birkenhead had clearly pointed out, there must be evidence of a genuine desire to co-operate with the Government in making the best of the existing Constitution. No doubt the Council of State had co-operated, but the co-operation received in other quarters was not encouraging, especially in Bengal and the Central Provinces Legislative Council, where there was no attempt to work the Reforms granted by the Government of India Act. The test for an acceleration of constitutional progress must be facts; and the Government could not now commit itself to any date named in the amendment. The popular leaders should endeavour to bring the Royal Commission earlier by earnestly working the present Act fully and producing convincing material.

Sir Devaprasad SARBADHIKARI opposed the amendment because it implied acceptance of the preamble. Reference had been made to the necessity of working the present machinery fully, but there was a great divergence of opinion about the possibility of working Dyarchy.

Mr. K. V. Rangaswami IYENGAR also opposed the amendment because no Royal Commission was needed to find out what India wanted. India's demands had been repeatedly put forward and were already well known.

Mr. ROY withdrew, his purpose in eliciting the opinion of the House on the subject having been served.

Syed RAZA ALI moved a rider proposing that the Government should also take into careful consideration the recommendations contained in the Minority Report. He recalled that Sir Fazl-i-Hussain, as a Minister in the Punjab, had asked for the unitary system of government in the Provinces by the abolition of Dyarchy and partial responsibility in the Central Government. This showed the Indian view. Mr. Raza Ali however felt that both the Majority and the Minority had put their cases very well. The communal question was partly dealt with by the reports. He emphatically stated that the allegation that the Government was responsible for or promoted communal differences was entirely without foundation. Appeals had been made by the Government for co-operation and goodwill. Had not the Council of State supported the Government in the maintenance of law and order throughout? Had they not come to the help of the Government when the Assembly had rejected the Princes' Protection Bill, the Finance Bills of 1923 and 1924 and even the Special Laws Repeal Bill?

Mr. CRERAR regretted he could not accept the amendment, although he appreciated the courtesy of the observations made by Mr. Raza Ali. In a very few cases the majority went beyond the minority, and in others the minority went beyond the majority. The difference between the majority and the minority was largely one of method and expediency. Syed Raza Ali, in the first part of his amendment, wanted the Government to give effect to all the Majority recommendations. The Government would do this as they had been endeavouring to do, but it was difficult for the Government to accept the Minority Report, because the recommendations of the Minority had not been correctly understood. For, while accepting the recommendations of the Majority Report, the Minority, at the same time, stated that there could be no improvement without an enquiry by a Royal Commission. The Government could not commit themselves to the actual implications of this amendment, although the Government had every desire to show a spirit of reciprocity and good-will to the Council for the assistance it had rendered. The Government rejoiced that wise counsels had prevailed in the House and would rejoice still further if they prevailed still more by accepting the Government resolution as it was.

Mr. RAMDASS welcomed the amendment because it had given an opportunity for the Government to refuse Mr. Raza Ali's offer of co-operation except on its own terms. The attitude of the Government had shown to the Council of State that the co-operation which the Government often talked about was to be all one-sided.

Sir Alexander MUDDIMAN, replying, noted Mr. Ramdas's confession. The latter had supported neither the Majority nor the Minority. If Dyarchy had promoted communal differences, then it had brought the people to a sense of the realities of the situation. What was the cause of communal differences? The cause was that the power of the vote was being realised, and that the loaves and fishes of office were being divided and the people were getting familiar with hard facts. It was not by controversy, and not by speeches that these matters were brought to their notice, but by the hard logic of facts.

Mr. Raza Ali's amendment was rejected by 28 votes to 7. Mr. Crerar's resolution was then put and was carried by 28 votes to 7.

On the 14TH SEPTEMBER the Council of State dealt with official business. The Bill to amend the law relating to the carriage of goods by sea was passed. Mr. Chadwick briefly explained minor changes. He characterized the Bill as useful and said it was passed unanimously by the Assembly.

The Council then passed without discussion the Provident Fund (Amendment) Bill and the Opium Bill as passed by the Assembly.

## The Coal Grading Bill.

Mr. CHADWICK next moved for the consideration of the Coal Grading Bill as passed by the Assembly.

Sir Maneckjee DADABHOY welcomed the Bill. The coal trade, he said, had been in five years. It was a matter of controversy now whether the Government were justified in putting an embargo on the coal trade. It was regarded by many that it ruined the trade. Coal was the basis of all industries in India and he congratulated the Government on their undertaking the proposed legislation. The Bill followed the provisions of the South African and Australian Coal Acts.

Sir Devaprasad SARBADHIKARI observed that railway freights made it impossible for Indian coal to compete successfully with foreign coal even in India. He asked for a fresh assurance from the Govt. that the larger question of the coal trade would be referred to the Tariff Board at an early date.

Mr. CHADWICK, replying, thanked the Council for their support. The measure dealt with one section of the coal trade only and that was the question of the export trade. He repeated the assurance given by Sir Charles Innes in the Assembly that the question of the coal trade would be referred to the Tariff Board at the earliest opportunity, but as whatever the Tariff Board recommended would have nothing to do with the question of the export trade, he asked the House to pass the Bill.

After a minor drafting amendment moved by him had been accepted, the Bill, as amended, was passed.

On the 15TH SEPTEMBER Lala RAMSARANDAS'S resolution suggesting a special concession on coal freights in the case of journeys of 500 miles and above was carried by the House. The Government opposed the resolution, but did not challenge a division.

## Use of Fire-arms.

Mr. V. RAMDASS moved for consideration of Mr. Rangachariar's Bill passed in the Assembly on the 9th September, providing that when fire-arms are used for dispersing an assembly, preliminary warning should in certain circumstances be given. Mr. Ramdass asked the House to remember that authors of this measure were not wicked Swarajists like himself—(laughter)—but Mr. Sastri and Mr. Rangachariar who could not be said to have been actuated by any desire to weaken the hands of the Government. He was aware that the Government would not allow its officers to inflict any more injury than was necessary, or to destroy human life, except to the extent that was absolutely necessary to avoid a greater danger to the community, but public feeling was strongly for the Bill. Mr. Ramdass explained the necessity of every section being included in the Bill in order to avoid unnecessary bloodshed, to protect innocent victims against the unlawful use of firearms.

Mr. CRERAR, while acknowledging Mr. Ramdas's persuasive eloquence, opposed the motion, although the Government was in full sympathy with the humane consideration involved. What was wanted in regard to any riot was prompt, resolute, cool, responsible and intelligent action of an officer; but the Bill interfered with an officer in all these respects. It had been pointed out that this Bill was framed on the lines of the English Law. Under the Law of England every citizen had a positive obligation of taking the necessary initiative in suppressing disorder. The English Law also laid down that any person who remained after a proclamation had been read by a magistrate was a felon. The present Bill did not protect the law-abiding citizens, it did not certainly protect the officers, but it protected the rioters. The effect of the Bill was that not only the initiative of the officers would be gone and they would be reduced to machines, but the

Police would be prevented from attacking in certain cases a gang of dacoits whom they had laboured hard to pursue. Then, under the Bill a report was essential and must be submitted to the Local Government within 24 hours. In cases of riot it generally took three or four days to ascertain the facts. Of what value would a report be if it was prepared within 24 hours? Moreover, the report was to be a public document and could be used against the officer who prepared it, because the last sub-clause allowed prosecution against the officer without the permission of the Local Government. Could any officer report fact which he knew would be used against himself in a criminal court? There was no equity nor reason in the last sub-clause. By such a provision officers would be deprived of a measure of protection which they now enjoyed. In India the position in this matter was very different from that in England. Riots took place in which communal passions were roused and popular passions were inflamed. These feelings took a long time to subside, and while that exacerbation of feeling continued, while the odium of having fired was still there, Mr. Ramdas proposed to expose the officer to prejudiced attacks of those who might find it convenient to take advantage of the situation in order to take some revenge. If the Bill was passed it would discourage those who were responsible for the maintenance of order and be a source of encouragement to those who were out to break the law.

Eventually, after a long debate, the motion for consideration was lost without being pressed to a division.

On the 16TH SEPTEMBER the Council of State held its last business sitting when official business was transacted.

#### Bamboo Paper Protection Bill.

Mr. CHADWICK, in moving for consideration of the Bamboo Paper Industry Protection Bill, said that had it not been for recent developments which were indicative of the great potentialities of the bamboo paper industry at a moderate cost this Bill would not have been brought forward. The results obtained by the Niabati Mill out of bamboo pulp were very striking and it was possible that India would not only in the near future be self-supporting, but also be in a position to export paper to other countries. At present unless the bamboo paper industry was protected it would fail under the stress of foreign competition. If the industry did not make a success of their process then nothing would prevent the Legislature and the Government from withdrawing the proposed protection. As regards super-calendered paper being exempted from the protective duty, the Government would, through the departmental committee, consult paper manufactures and newspaper representatives.

Sir Maneckjee DADABHOY supported the motion because, as a Protectionist, he was in sympathy with an industry which needed their special commiseration, not only because it helped them during the war but also because it was a means of spreading knowledge. He, however, wanted to know why the preamble referred to protection for the bamboo paper industry only while the tenour of Mr. Chadwick's speech indicated protection to all kinds of the paper industry. He also wanted to know what would be the difference between the present revenue under 15 per cent. ad-valorem and a specific duty of one anna per pound.

Sir Devaprasad SARBADHIKARI doubted whether the proposed protection would be adequate when compared with the possibility of foreign manufacturers reducing their prices in order to dump their goods. Sir Devaprasad put in a vigorous plea on behalf of the smaller newspaper, especially the Vernacular Press when the Govt. took into consideration the question of exempting from the protective duty super-calendered paper.

Mr. RAMDASS supporting consideration of the Bill pleaded for a loan or subsidy to the Carnatic Paper Mill at Rajamundry, which according to the Tariff Board, should receive help if the success of the soda process on a commercial scale was to be decided.

The Bill was then taken into consideration and passed without alteration.

Sir Narasimha SARMA asked for consideration of the Limitation Act (Amendment) Bill as passed by the Legislative Assembly with the main object of extending the period of limitation in the case of certain suits from six months to one year. The Bill was considered and passed without alteration.

#### Standing Committees on Communal Legislation

Mr. CRERAR then moved: "This Council recommends to the Governor-General-in-Council that in order to give effect to the recommendation in Para. 120 of the report of the Reforms Enquiry Committee, the Indian Legislative Rules and the Standing Orders of this House be amended so as to provide as follows; (a) The standing committees, one to deal with Bill relating to Hindu Law and the other with Bills relating to Mahomedan Law, shall be appointed; (b) appointments to these committees shall be made by a committee of selection, the members of which shall be appointed at one of the first meetings of the Council to be held in each year, and should hold office for one year from the date of nomination; (c) the committee of selection shall consist of the President and the Leader of the House, supplemented up to a total number of six members on a motion moved by the Leader of the House so as to represent the main divisions of opinion in this House; (d) the Standing Committee for Bills relating to Hindu Law shall consist of the Hon. the Home Member, the Hon. the Law Member (if they are members of the Council) and Hindu members, nominated by the committee of selection so as to include persons well versed in Hindu Law, and representatives both of the orthodox and reforming sections of the Hindu community; (e) the constitution of the Standing Committee for Mahomedan Law shall be similar to that of the Committee on Hindu Law, except for the substitution of 10 Mahomedan members for 15 Hindu members; (f) the members of each Standing Committee shall hold office for one year, but may be re-nominated by the committee of selection in successive years; (g) a Bill which has been referred to the Standing Committee or a special Select Committee in the House shall not be referred to the Standing Committee or special Select Committee in the other House; (h) as soon as leave is given to introduce a Bill other than a Government Bill, and subject to Para (g) as soon as a Bill other than a Government Bill which has been passed by the other House is laid on the table of this House, if the Bill is certified by the President to relate to Hindu or Mahomedan Law, it shall be referred to the Standing Committee concerned without further motion; (i) The standing committee shall have power to examine witnesses and to circulate a Bill, but when it directs circulation the fact shall be reported to the Council; (j) further procedure in the Council after report of the Standing Committee is received shall be the same as the procedure on receipt of the report of a Select Committee." The resolution was adopted.

Business having concluded the Council then adjourned till the next day, the 17TH SEPTEMBER, when H. E. the Viceroy addressed the Council and announced its dissolution.

# Madras Legislative Council

MADRAS—3RD FEBRUARY 1925.

The election of the President of the Madras Legislative Council was held on the 3RD FEBRUARY when the Council assembled with a full attendance of members, Dewan Bahadur Swamikannu Pillay occupying the Chair. The first item on the agenda was the election of the President. Only two candidates stood for election, namely Dewan Bahadur Swamikannu Pillay and Rao Bahadur A. S. Krishna Rao.

After the President had announced the names of the candidates for election the House proceeded with the election which was done by ballot. Dewan Bahadur Swamikannu Pillay secured 64 votes and R. B. A. S. Krishna Rao 42. The election of Dewan Bahadur Swamikannu Pillay having received the approval of His Excellency the Governor Mr. Swamikannu Pillay assumed the Chair.

## Judicial and Executive Functions.

On the 6TH FEBRUARY a resolution was moved urging the separation of Judicial and Executive functions with effect from the next official year. The Law Member pointed out that the matter was at present under the consideration of the Government of India and when their decisions were obtained the Local Government would give an opportunity to the Legislative Council to discuss the scheme. The resolution was thereupon withdrawn.

## Revenue Collection in Tanjore.

The motion for the adjournment of the House to discuss the situation in Tanjore district owing to the collection of the enhanced rate of revenue was then discussed. Members from all sides of the House supported the motion, which on being put to the vote was carried.

The mover referred to the distress created by the recent floods in the district and the sorry plight of the ryots. He urged a reduction of 6½ per cent. in revenue in the case of all lands and the stopping of revenue collections for two months till a careful investigation of the condition of the district had been made and the remission applications filed by the ryots had been disposed of.

On the 7TH FEBRUARY the Council voted a supplementary grant of Rs. 65,000 under the Excise Department, and Rs. 1,23,827 for grants to local bodies for the repair of damage to roads caused by the floods.

The Hon. Mr. C. P. Ramaswamy Iyer, Law Member, presented the report of the Select Committee, on recommitment, on the Bill to amend and consolidate the Madras Civil Courts Act 1873, and moved that the Bill as now amended by the Committee be taken into consideration. The Bill after discussion was passed into law.

Among the non-official business transacted on this day was the discussion on the resolution of Dr. C. Natesa Mudaliar recommending to the Government that at least 40 per cent. of the posts in both the lower and upper grades of the services under the Government be reserved for non-Brahmin Hindus, 10



per cent. for the depressed classes, 15 per cent. for Mahomedans, 10 per cent. for Indian Christians, 10 per cent. for Brahmins and the rest for representatives of other communities, and for recruitment by competitive examinations.

There were vehement speeches both in support of and against the resolution. The discussion was not closed when the Council adjourned till 2nd Mar.

### The Financial Statement 1925-26.

On the 2ND MARCH, after interpellations, the Hon. Mr. R. A. Graham presented the Budget for 1925-26. In an introductory speech, he reviewed the position during the past two years, and pointed out how, after several years of deficit, it was possible for his predecessor to announce an estimated surplus of Rs. 11 lakhs at the close of 1923-24, but when the accounts of that year were finally made up, the position was found to be more favourable than had been anticipated, and the surplus amounted to Rs. 28½ lakhs, the whole of which was allocated to the repayment of the outstanding debt. The year 1924-25 started with the anticipation in that the revenue would exceed expenditure by Rs. 15'18 lakhs. Events belied the expectations formed one year ago. Unforeseen calamities, such as the occurrence of floods and the uncertain factors of excise revenue considerably affected receipts, leaving the estimated deficit at Rs. 32,36,500 at the close of 1924-25. The estimates of revenue for 1925-26 had been framed on a comparatively conservative basis, in view of the disappointment in the current year, the total result being an anticipated revenue of Rs. 16,51,79,100, or Rs. 20,72,000 more than the revised estimate for the current year, with an expenditure chargeable to revenue of Rs. 17,19,87,800 leaving a total uncovered revenue deficit of Rs. 88'03 lakhs.

Referring to the Transferred Departments, the Finance Member said that a total allotment of Rs. 24'66 lakhs had been made, of which Rs. 11'63 went to education. The Council might complain, he continued, in spite of the figures just given, that too little had been provided for nation-building. The Hon. the Minister for Local Self-Government would like to press on with the scheme for rural water supply and for the extension of medical aid. The Minister for Education felt that he had only made the first two steps towards universal education, and wanted to get on with the Andhra University, while the Development Minister had many proposals for the improvement of agriculture and the encouragement of industries. In fact, observed the Finance Member, even to finance the projects already embarked on there must be either additional taxation or retrenchment, which besides being unpopular, had already gone so far that if ingenuity could find further scope, it would be at the expense of efficiency. The only justification for the Budget lay in the hope of a diminution of contribution to the Government of India.

Referring to the proposed remission of Rs. 126 lakhs, he said they might combine thankfulness and congratulations to the Government of India and the controllers of their finances on their being in a position to give the Provinces this measure of justice, but he added that it must not be supposed that there remained nothing to be done. They had not yet got the remission. They had only the proposals of the Government of India, in which they contemplated inviting the concurrence of the Assembly, and until all the processes necessary had been completed, their figures could not be altered, and they must remain with a deficit Budget. They had ample warning

that there were powerful interests at work to raid their surplus, or to divert it to other uses. They were able to exercise great influence in the Assembly. They were well organised and had the services of skilful propagandists in the Press and on the platform, but to put it baldly the choice now was between the needs of the people and the profits of the millowners, and so long as the issue was kept clear, he could not imagine that there would be any hesitation as to which was to be preferred. He believed that there would be such strong and unanimous expression of opinion on this matter as to show their representatives at Delhi that there was no lukewarmness or weakness here. He said: "The responsibility will lie with them, and they are not likely to treat it lightly. They will be heartened by the assurance that we shall accord full recognition to the steadfastness with which they will have to reinforce their patriotism, if they are to stave off all attempts to diminish or retard the rectification of the injustice from which we have so long suffered."

#### GENERAL DISCUSSION OF THE BUDGET.

The general discussion of the Budget which was begun on the 4th March was continued till the 6TH MARCH and concluded on that day after the Government members had replied to the non-official criticisms regarding various aspects of the Budget.

The Chief Minister, in the course of his reply, said that the reduction of the Provincial contribution depended on the passing of the Finance Bill of the Government of India, and expressed the hope that the Madras members of the Assembly would do their duty towards the Madras Presidency.

The Minister for Excise, replying to the demand for excise reform and the introduction of prohibition, said that the problem was entirely one of revenue, and, if the members could suggest a new source of revenue to replace excise revenue, the matter would become practical for solution.

After other members had replied the Finance Member replied on the debate. Referring to the Bombay Council's protest on the subject of the reduction of the provincial contribution he characterised the Bombay members as great believers in the game of bluff. Those that were interested in the abolition of the cotton excise were not likely to slacken their efforts, and he sincerely hoped that the Madras representatives in the Assembly would carry on their righteous work of reducing the Provincial burden until in the course of the next few years the iniquitous impost was completely wiped out.

#### Voting on Budget Grants.

##### The Reforms Enquiry Report.

The Voting on Budget Grants commenced on the 16TH MARCH when an adjournment motion brought forward by the member for Coimbatore to discuss the unsatisfactory character of the Muddiman Committee Report was discussed and was carried unanimously. Government members refrained from participating in the discussion or voting. Non-official members, Swarajists, Independents, United Nationalists and Ministerialists joined in condemning the Report as unsatisfactory, retrogressive and disappointing. The mover referred to the Majority recommendation as amounting to a stab from behind. He appealed to the parties in the House to join together in condemning the Report and requested

the Ministers to decline to accept responsibilities of office unless their demands were granted fully.

Another member saw in the Majority Report evidence of mistrust of the British in the capacity of Indians for Self-Government and enmity of the bureaucracy towards further constitutional progress.

Mr. Ramaswami Mudaliar, a prominent Ministerialist, in condemning the Report expressed the hope that it was not the last word. On the question of the further constitutional advancement in India he said that he and his party and all Constitutionalists in India who had given genuine proof of their bonafides in the working of the Reforms found that Dyarchy was unworkable and that an immediate change in the constitution was necessary. He wanted the British Government and British statesmen to take a larger view of the situation in India where the political consciousness of the people, both classes as well as masses, had developed to a remarkable degree and further reforms had to be initiated immediately, for the Constitutionalists would have to be expunged altogether. Referring to communal and racial differences existing in the country he said that such differences existed even in England and Ireland, and these could not be held to be a bar to political progress.

Sir K. V. Reddi, ex-Minister, strongly condemned the Majority report and said the Committee had not moved even an inch in the direction of further Reforms. The motion was carried and the Council adjourned.

#### Land Revenue Administration.

On the 17TH MARCH the Council voted Government demand of Rs. 254.51 lakhs for Land Revenue Administration subject to the reduction of Rs. 1,20,000. Government policy in regard to the introduction of Land Revenue Bill in local Legislative Council and other matters such as resettlements in certain districts etc., were discussed before demand was disposed of by token motions and a substantial cut amounting to Rs. 1,18,000 was effected from the sum by the House by refusing the provision for the Board of Revenue and urging its abolition.

#### Excise Policy Attacked.

The Minister for Excise next moved his demand for Rs. 42.38 lakhs for excise administration. Rao Bahadur C. V. S. Narasimha Raju, leader of the Opposition, proposed to cut down this sum by omitting the provision for excise officers. He pointed that this was merely a token motion and his party might agree to the cut being reduced to a smaller sum. In order not to hamper administration their object in bringing this motion was to express want of confidence in the Minister for Excise in the matter of excise reform. He then went into vigorous criticism of the Minister's policy, in that there had been no active attempt made to put down drink evil during the last four years and a half. He held that while Bombay, United Provinces and Calcutta had moved forward in the matter, however haltingly, Madras had done nothing beyond constituting advisory committee.

The hon'ble Mr. Patroin replying characterised the mover's attempt as a party move after the Hon'ble Minister enumerated various measures initiated by him in the reduction in drink evil in this presidency. There was a reduction of 2000 in total number of Arrack and Toddy shops and the price of liquor had been raised while steps were also taken to reduce the strength of liquor. Import duty on foreign liquor had been raised. Besides several restrictions were imposed in the location of the shops and their closing at a particular

time of the day. All these measures had resulted in reducing consumption and loss of revenue to the extent of two laks. He held that the measures taken in the direction of excise reform in Madras were far in advance of Bombay. The system of licensing boards with non-official presidents was also being tried and the Minister expressed hope that such measures as he had enumerated would lead them to the goal of prohibition. With regard to the adoption of a rationing system he quoted from the Administration report the opinion of the Bombay Government with regard to its working and said he would not recommend the adoption of that system in Madras. He concluded with a few remarks on the financial aspects of the matter.

On the 18TH MARCH Mr. Satyamurti led the debate for opposition on Mr. Raju's motion of want of confidence in the Excise Minister. The speaker held that the Excise Minister had made no earnest move forward during the last twelve months for bringing down the drink evil and he had not initiated any policy tending to reform. He was also party to ruthless campaign of repression which was launched against temperance workers in the days of non-co-operation. With regard to finding fresh source of revenue the speaker held that it was unfair to throw responsibility on the Council which was not in confidence of the Finance Member.

Mr. O. Thanickachalam Chetty in opposing the motion characterised the present motion as a bid for office without convincing credentials. Turning to the work of the minister he pointed out there had been reduction both in consumption and number of persons going for drink since 1921.

Dr. John Mathai opposing the motion said while he recognised the increased need for temperance reform, the cause they advocated was not likely to make any move forward unless those interested in it gave sufficient thought to complex financial issues involved.

Sir James Simpson opposing the motion said they could not make people sober by act of legislature. In his opinion steps advocated could not take them nearer to goal.

Mr. C. R. Reddi supported the motion and appealed to the Muslim and nominated members to vote with the opposition basing their action on record of ministry.

Mr. A. Ramaswami Mudaliar, a prominent Ministerialist, then spoke supporting the Ministry after which the motion was put to the vote and declared defeated by a large majority of 73 to 31 votes with the result the motion of no confidence in the Minister was turned down into one of confidence by a large elected majority of votes.

After the excise demand was disposed of the Council proceeded to discuss the grant relating to stamps and voted the sum fully subject to nominal reduction of rupees one hundred.

#### Governor's Household, Staff and Bodyguard.

On the 21ST MARCH, the House proceeded to discuss a grant relating to the Governor's staff and household. The question of appointing an Indian as Private Secretary to the Governor was raised. It was pointed out that such an appointment was desirable with a view to keep His Excellency in touch with the Indian view. A Christian member said that in view of the existing clash and suspicion between the various communities it was desirable to have a European Private Secretary who would be above such suspicions and prejudices and would command the confidence of all communities. The motion was rejected.

Another motion urged the abolition of the Governor's bodyguard on the ground of economy. It was pointed out on behalf of Govt. that even in democratic countries such paraphernalia was recognised as emblems of dignity and the bodyguard had distinctive popular value. The proposal was rejected.

#### The Hydro-Electric Development.

The Hon'ble Mr. C. P. Ramaswami Iyer then placed his statement in the Council regarding the Government's policy and programme in the matter of the Hydro-electric development in the Presidency.

After referring to the schemes embarked on by the Bombay and Punjab Governments he said that Madras had great possibilities and was well-suited for these enterprises. Referring to the Pykara scheme on the Nilgiris he pointed out that it would cover areas in four districts and was capable of linking up a number of hydro-electric centres in this Presidency. This scheme would cost three crores of rupees and fifty lakhs would be required for initial expenses. The member was convinced that in the development of this enterprise lay the industrial future of the country. With regard to the ways and means of making a start he suggested the formation of a registered company under the Trade Facilities Act of England. With reference to the question whether sufficient capital could not be raised locally he said nothing would be better, but that was not likely. In conclusion, he said that a comprehensive statement on the subject would be prepared and placed before them before July, and that Government would not find any decisive step until then.

#### Reduction of Executive Strength.

On the 23RD MARCH two non-official motions proposing small cuts in travelling allowances and establishment of the Executive were carried. The former urged the desirability of reducing the strength of the Executive Council from four to three or two on the ground that there was not enough work for four Executive Council Members, and some of the portfolios, for political and economic reasons, could be transferred from the reserved side to the Ministers. The second motion raised the question of reducing the salaries of Executive Council members on the ground that this country being too poor could not afford to pay at the present scale. Both motions were carried.

Another motion for omitting the allotment for the Staff Selection Board gave rise to a heated debate. The motion was brought by ministerialists who pointed out that the non-Brahmin Hindu community was not adequately represented on the Board and that they being the majority community had the right to control the work of the board.

The Finance Member speaking on the motion said that the staff selection board was intended to eliminate patronage and to give equal opportunities to all communities. The motion was put to the vote and resulted in a tie, thirty-five members voting on either side. The president gave his casting vote against the motion in favour of retention of the allotment.

#### Reduction of Ministers' Salary.

On the 24TH MARCH the Council rejected the motion for reducing the Ministers' salaries without division. In attacking the motion for reducing the Ministers' salaries some members observed that the Opposition proposal, if accepted, would seriously impair the dignity of the Ministers. The House once thought that the Ministers' salaries should be fixed at four thousand a month. The Ministers had voluntarily

agreed to that proposal and now the Opposition wanted their salaries to be reduced still further. They urged that it would not be consistent with the dignity of the House, if such motions were repeatedly to be brought before the House. The Opposition replied that the sponsors of the motion in fixing the amount at three thousand and five hundred were more generous than the Muddiman Committee and Lord Lytton. They raised the question for retrenchment and believed that the Ministers should set an example in the matter. The motion was rejected.

#### Reduction of High Court Strength.

The motion urging reduction of the strength of the Madras High Court was discussed in connection with the Budget demand for the High Court.

The Member for University raised the question on the ground that the present strength was unnecessarily large and wanted the number of judges to be reduced from 14 to 12.

The Law Member observed that he could not accept the proposal without prejudice to the interests of litigant public in view of arrears which had accumulated and the question could be considered when the arrears were disposed of. The motion was pressed and carried by a majority of votes.

#### Administration of Jails.

On the 26TH MARCH interesting question relating to Government's Jail Policy were raised in the Council and the Home Member's demand for Rs. 30'14 lakhs for administrations of Jails was agreed to subject to the reduction of rupees one lakh one hundred. The reduction was effected under two motions. The first one was a token motion proposing a cut of Rs. 100 to request Government to do away with racial discrimination in the matter of diet between Europeans and Indians. The second motion was raised for the purpose of economy by reducing the allotment by one lakh. Two members including the Deputy President of the House while speaking on this motion voiced dissatisfaction of the House in regard to the Government's policy regarding M. P. Narayana Menon (Hindu Congressman) who was convicted for complicity in the Moplah rebellion and whose release was urged by the Council last year by means of a resolution.

The Home Member in explaining the position of the Government said it would be very unfair to single out Narayana Menon for release while hundreds of Moplahs, most of whom his followers, who were convicted for minor offences, were still in the jail. Such course was likely to create resentment in Moplah circles. The Home Member understood that Moplahs in the rebellion area were not in favour of his release. Both the motions were, however, carried.

#### The Police Budget.

The Hon'ble Mr. C. P. Ramaswami Iyer next introduced the Police Budget. A nominal cut was proposed by a member to urge reduction in strength of the City C.I.D. staff. The Law Member pointed out that the staff was not unnecessarily large and was too small compared with other cities. With regard to the charge that every political worker was being shadowed and tracked by two constables the Law Member held it was a very exaggerated statement and could not be true. The motion was lost.

On the 27TH MARCH during the discussion on the Police Budget several members criticised the Government's policy in regard to the Special Police which are posted in Malabar and East Coast areas. A sum of rupees 3,67,300

had been provided in the budget for the maintenance of these special forces in the rebel areas of Malabar and the Agency tracts and a reduction of one lakh in the provision was proposed on the ground that there was no necessity for keeping these special forces in the areas concerned at the proposed strength. This motion was carried by 32 against 30 votes and the demand for police administration (Rs. 153.97 lakhs) was agreed to subject to reduction of one lakh.

The Council next voted 9'07 lacs for education reserved ; 151'11 lakhs for education transferred. All the remaining demands were put from the chair and agreed to without discussion.

#### Governor Certifies the Police Budget.

On the 30TH MARCH the President read a message from the Governor certifying certain items of the Budget provisions as being essential for the discharge of his responsibility for the administration. These provisions were adversely voted upon by the Council during the Budget debate and relate to the abolition of the Official Receiver, the reduction of the number of High Court Judges, the abolition of the Board of Revenue, and the disbandment of the Special Police.

The Leader of the Opposition in making statement said that in view of the certification of certain Budget provisions against the wishes of the House, his party had decided not to attend the day's proceedings. He requested the President not to take their actions as disrespect shown to the Chair, the House or the Government. He then withdrew.

#### The Remitted Provincial Contribution.

The House next considered the supplementary grants and when a few demands had been disposed of, the member from Kistna moved that further demands be adjourned till the Government had considered in the Cabinet the question of the disposal of the Rs. 1.16 lakhs derived from the remission of the Provincial contribution. The mover was interested in the allocation of sufficient funds for the nation-building departments. He was supported by several other members and the remaining demands were carried.

#### Cochin Port Trust Bill

The Finance Member next introduced the Cochin Port Trust Bill, providing for the regulation, conservancy and improvement of the Port of Cochin. The Bill proposed to constitute a Board of Trustees to carry out the provisions of the Act consisting of 10 to 15 members, including the Chairman and the Vice-Chairman, as the Local Government may notify, two Trustees elected by the Cochin Chamber of Commerce, one by the United Planters' Association of Southern India, two trustees appointed by the Local Government and two Trustees nominated by the Cochin and Travancore States each. Not less than two-fifths of the number of Trustees shall be Indians and no person shall be qualified to be a Trustee if he is not a British subject of an Indian State. The Bill was referred to a Select Committee.

On the 31ST MARCH the Council discussed non-official business. One non-contentious Bill of purely local interest relating to municipal affairs was passed and two other similar bills were introduced.

Mr. Satayamurthi's Bill to amend the President's Salary Act, providing for the President of the Council to be a whole-time officer, who should not engage himself in any other remunerative work, was postponed to next

session on the advice of the Hon. Mr. C. P. Ramaswamy Iyer, leader of the House, who suggested that the question be considered by a conference of leaders of all parties in the House with a view to introducing a Bill to which the House could consent unanimously.

#### Loans to Malabar Planters.

A member from Malabar moved adjournment to raise a discussion on the Government's proposals to write off loans given to private individuals and planters, so far as such proposals related to loans of Rs. 1,000 and above and the payment of Rs. 41,000 to Poliankode Rubber Estate (a European concern) in Malabar on account of losses suffered during the Moplah rebellion.

This matter was the subject of a lively discussion. The mover and his supporters complained that, while the Government extended their help to the estate referred to and some other individuals, hundreds of other sufferers were left in the cold. They would have had no objection if the same treatment had been meted out to all people concerned, irrespective of race or position on the mere merits of the cases. They held that the Government's policy underlying this matter was questionable. The motion of adjournment was carried.

The Houses next proceeded to discuss the resolution relating to the appointment of a committee of officials and non-officials to enquire into and suggest measures to put a stop to the existence of corruption amongst public servants of all grades.

The Law Member pointed out the impracticability of the proposal and pointed out that individual cases were receiving the attention of the Government. The resolution was rejected.

On the 1ST APRIL the Council held its last meeting of the present session. The resolution for the appointment of a committee to inquire into the grievances of non-gazetted officers was carried after prolonged discussion.

The next important matter discussed related to the excise policy of the Government, and a resolution was moved that the excise policy should be radically changed and immediate steps should be taken to secure a substantial reduction in consumption of intoxicants in the presidency at once, and total prohibition in the near future.

The Minister for Excise gave assurance that he would give the House opportunity to discuss the report of the Excise Committee before orders are passed on it and the resolution was thereupon withdrawn.

The House then adjourned sine die.

## Autumn Session

MADRAS—18TH AUGUST 1925

The autumn session of the Madras Legislative Council commenced on 18TH AUGUST in the Council Chamber, Fort St. George, Dewan Bahadur Swamykannu Pillay presiding. There was a large attendance of members.

#### Governor on Hydro-Electric projects.

After the new members had taken the Oath of Allegiance, H. E. the GOVERNOR addressed the Council. His Excellency referred to the loss which the Council and the Presidency in general had sustained in the death of one of their foremost citizens (Sir T. Chetty), who was at one time a familiar figure in the Council.

Passing on to other matters His Excellency said :—“The Hon. Members will share with my Government the satisfaction we feel that, as a result of the conclusion of



negotiations with Mysore, we were enabled to obtain the sanction of the Secretary of State to the construction of a project which will not only help to irrigate over 800,000 acres of fresh land, but will also protect and safeguard the existing irrigation system in Trichinopoly and Tanjore districts.

"Before I leave this subject I should like to congratulate my colleague, Sir C. P. Ramaswamy Iyer, and all those who have worked under him, on the success that has attended their unflagging efforts to promote one of India's greatest irrigation projects. It is the object of my Government to initiate and push through as expeditiously as possible certain schemes for the cheap production of power from hydro-electric centres.

"The most promising of the scheme is the one in relation to the Pykhara water-falls, which the Government are anxious to inaugurate, not only because of the natural facilities of the particular locality, but because for various reasons it will, in our opinion, be the best object-lesson to the people at large of the advantages of cheap power.

"Certain negotiations which have been pending for the purpose of enabling the Government to re-acquire control over water-power in the locality, and to re-purchase the concession that had been granted by the Madras Government before they envisaged schemes for the utilisation of such power have just now been happily concluded, and, I trust, that it will be possible to start work at a very early period.

"The Hon. Members of this Council will also be interested to learn that a joint investigation of hydro-electric possibilities in South India is now being carried on by the Government and the South Indian Railway Company, and if, as is hoped, the results of such investigation are favourable, the subject of the electrification of a part at least of the South Indian Railway will come within the range of practical politics. Such electrification will not only be of great use from the railway point of view, but will establish centres of distribution and utilisation of our power resources."

After the Governor's speech demands for supplementary grants under various heads were discussed and disposed of.

#### Mr. Iyengar's Adjournment Motion

The President announced before the House adjourned that the Governor had disallowed Mr. Venkataramana Iyengar's adjournment motion regarding Lord Birkenhead's speech on the ground that the subject matter of the motion was not the primary concern of the Government.

Consequent on the Governor's message disallowing the motion relating to Lord Birkenhead's speech the Nationalists in the Legislative Council held a meeting and decided to oppose the first motion for a grant on the Reserved side. Accordingly when the Home Member moved a supplementary grant, Mr. Venkataramana Iyengar raised the question of Lord Birkenhead's statement.

Mr. Ramaswami Mudaliar on behalf of the 'Justice' party said that all parties were agreed in the view that the statement was a very disappointing one, but the question of the Secretary of State's statement was too important to be raised on the motion for a supplementary grant. He therefore appealed to Mr. Venkataramana Iyengar to withdraw his motion, as he had virtually gained his object in drawing attention to it.

The motion was not pressed and the grant was made.

On the 19TH AUGUST, on Mr. A. Ramaswami Mudaliar's motion, the Government was recommended to appoint a Committee of the House to examine Mr. Courtenay's report and evidence and to sift further evidence, if necessary, on the question of advising the Government to expunge the passages from the public records and the reflections cast on Mr. Kesava Pillay, the Deputy President of the House, in the report of Mr. Courtenay, and the Government order thereon. The motion was carried.

On the 20TH AUGUST discussion was resumed on the Madras Borstal Bill providing for the establishment and regulation of Borstal schools in the presidency for the detention and training of adolescent prisoners. The Bill was referred to a select committee.

Sir A. P. Patro then moved the introduction of the Andhra University Bill and made a lengthy speech dealing with the reasons for constituting a university, its aims and special features. Next day, the 21ST AUGUST, the first reading was passed and the Bill was referred to a Select Committee.

There was a heated discussion on the motion of the Development Minister for applying certain provisions of the Cotton Transport Act restricting the exportation of cotton from some of the cotton producing areas of Madras Presidency. Members from the cotton producing districts objected to the proposal on the ground that it would adversely effect the interests of the cotton growers. Further discussion was, therefore, postponed.

On the 24TH AUGUST the most important Bill on the agenda was one by the representative of the depressed classes to amend the Madras City Tenants' Protection

Act, 1922. The mover pointed out that the Bill sought to rectify certain omissions in the original Act by providing reasonable compensation for all improvements effected by tenants on the land, and the fixing of a fair rent. After a short discussion the Bill was referred to a Select Committee.

#### Moplah Colonisation in Andamans

Mr. Uppi, Moplah member, moved a resolution urging the suspension of the scheme to colonise the Andamans with Moplahs and urged the appointment of a committee of non-official members of the Council to visit the Andamans and report on the conditions prevailing there.

The discussion of Mr. Uppi's resolution was taken up on next day, the 25TH AUGUST when several members supported the motion and condemned the scheme on moral, social and physical grounds. The Government members, however, repudiated the suggestion that in embarking on this scheme the Government were actuated by a political motive to deplete Malabar of Moplahs and maintained that it was a humane scheme to promote the interests of the Moplahs concerned. The resolution was carried.

The Council also passed a resolution urging the appointment of a committee to hold an investigation into the problem of unemployment in the Madras Presidency and report suggesting remedial measures.

On the 26TH AUGUST the Council resumed discussions on the motion of the Development Minister approving the notification and rules issued under Sections 3 and 7 of the Cotton Transport Act of 1923. The object of these notifications and rules was to declare certain cotton growing areas in the Madras Presidency as protected areas to prohibit the importation of cotton into those places from the neighbouring areas with a view to preventing the adulteration of high class Combedia cotton with inferior varieties. The motion with slight amendments was passed.

On the 27TH AUGUST the outstanding demands for supplementary grants were discussed after the usual interpellations.

The Minister for Local Self-Government moved a grant of Rs. 625 lakhs for distribution among local bodies to improve the water supplies in the rural areas. The Minister pointed out that the necessity for liberal contributions to local bodies for improving the sanitation and water supplies in the rural areas was strongly felt in the past, but owing to financial stringency the Government could not do much in the matter. They were enabled to make the present provision out of the remission of the provincial contribution. The grant was voted.

After the remaining items on the agenda had been disposed of the Council adjourned till the 28th October.

#### MADRAS—28TH OCTOBER 1925

After a prolonged recess the Council met on the 28TH OCTOBER, the newly elected President, Mr. Ratnaswami Pillai, occupying the Chair.

After the day's interpellations were over, the member from Coimbatore moved the adjournment of the House with the object of discussing famine conditions in Coimbatore and measures of relief. The President having admitted the motion the matter was discussed later in the afternoon when the adjournment motion was carried after a full discussion. The mover drew a vivid picture of the sufferings of the people in the affected villages in respect of food grains, fodder and drinking water, and requested the Government to place a sum of Rs. 20,000 in the hands of the Collector for their relief.

#### The Andhra University.

Dr. U. Rama Rao next presented to the House a petition signed by a number of persons requesting the House to exclude Bellary from the jurisdiction of the proposed Andhra University and to allow the district to continue under Madras University till the establishment of Karnataka University.

Sir A. P. Patro moved for the second reading of the Andhra University Bill.

Sir Venkata Reddy moved an amendment to the effect that the University be called the Telugu University. The amendment was defeated by a majority of two votes.

The Minister for Development and most of the Ministerialists supported the amendment, but the Government with the exception of the Minister for development remained neutral.

## Minister's Unconstitutional Remark

On the 29TH OCTOBER, after interpellations, the Leader of the Opposition moved for adjournment to call attention to a definite urgent matter of public importance, namely, "the inappropriate and unconstitutional observations recently made by the Minister of Education before the South Canara Christian League at Mangalore and the Moplah deputation at Calicut, purporting to request them to send a particular type of representative to the Legislative Council if they expected favours from the Government."

Speakers, supporting the motion, pointed out that the remarks of the Minister were unparliamentary and against the rules laid down by the Government of India Act. They admitted that Ministers had a right to address party meetings to elucidate party policy, but objected to them making use of their official position for electioneering purposes and making such remarks to deputations.

Sir A. P. Patro explained that the remarks attributed to him were inaccurately reported and that they were made, not in reply to a deputation, but in the course of a friendly conversation. He claimed for himself the right of an elected member to express his individual views on political subjects.

Mr. Moir said that the speeches made revealed that there was a good deal of misconception in the minds of members, but Sir A. P. Patro's statement had convinced him that he had not violated the rules.

Sir C. P. Ramaswami Iyer, appealed to the mover to withdraw the motion in view of the statement made by the Minister. The motion was accordingly withdrawn.

## Andhra University Bill.

On the 30TH OCTOBER, at the resumed discussion on the Andhra University Bill in the Council an amendment, giving power to the Local Government to exclude by notification any area of institution from the operations of the Act, was accepted by the Minister in charge of the Bill and carried.

Amendments for excluding Bellary, Anantpur, Cuddapah and Kurnool, which comprise the Ceded Districts, and also for the exemption of Ganjam (Oriya District) were lost. Further discussion on the Bill was adjourned.

## Officials and Political Controversies.

On the 30TH OCTOBER another motion for adjournment was made, the object being to discuss the question of the alleged growing tendency among public servants in the Province of taking part in political controversies and expressing opinions on acutely controversial subjects as illustrated by recent speeches of the Collectors of Ramnad and South Arcot and certain observations by the Commissioner of Police, Madras, in his administration report.

The motion was brought by Mr. A. Ramaswamy Mudaliar, a Ministerialist, who read extracts from Commissioners' report which stated, inter alia, "the Congress Party was not much in evidence. The Swarajist party gained strength and was able to capture seven out of nine vacant seats in the corporation. In the Legislative Council a few members of this party made themselves conspicuous. The Unity Conference at Delhi helped to bring together various parties and the new Ordinance in Bengal gave an unexpected impetus to the cry for unity. The non-Brahmin movement showed signs of decay."

These observations, the speaker contended, were out of place in a Police administration report. The second charge related to remarks made by the Collector of South Arcot in a speech on the occasion of opening the hall of the District Board. The Collector was said to have stated that communal electorates were only ephemeral. The third charge related to remarks made in the course of a speech by the Collector of Ramnad criticising the present educational system.

A lively discussion followed and the motion being talked out the Council adjourned.

## The Andhra University Bill

On the 2ND NOVEMBER, after interpellations, the House proceeded with the discussion of amendments to the Andhra University Bill. The discussion mainly centred on the exclusion of certain non-Telugu areas, such as Bellary District and certain portions of Ganjam District, and the idea of concentration involved in the Andhra University scheme. It was contended that the idea underlying the university scheme was to foster and improve the Vernacular of Andhra Province, which was Telugu, and that non-Telugu areas should, therefore, be excluded from the operation of the Bill.

The idea of concentrating university life in a few centres, as was proposed to be done under the Bill, was also opposed on the ground that the educational interests of a vast area of Andhra Province would suffer. Both the amendments were, however, lost.

On the 4TH NOVEMBER the debate on the Andhra University Bill was resumed. After a prolonged discussion the House, by a majority, decided to have Beswara as the headquarters of the University on the ground that it enjoyed a central position. The claims of Rajahmundry, one of the University concentration centres, were strongly pressed on the plea that the largest amount of academical atmosphere in the Andhra country was focussed there. Vizagapatam was also mentioned as a suitable place for the location of the head-quarters if Rajahmundry was rejected.

Another amendment, to throw open the office of Vice-Chancellor of the University for election by the Senate was also rejected.

On the 6TH NOVEMBER the *Andhra University Bill* was passed into law. The Leader of the Opposition opposed the motion for final reading of the Bill on the ground that the basic principle of the Bill, namely, concentration, had been violated by acceptance of a clause providing for the growth of first-grade colleges in centres other than those decided on according to the principle of concentration.

Messrs. C. R. Reddi and Satyamurthi also criticised the provisions of the Bill. Mr. T. E. Moir, referring to the financial aspect, observed that no statutory provision had been made in the Bill, but the matter would receive their fair and impartial consideration.

The Minister for Education, in winding up the debate, expressed the hope that the new University education in Andhra Desa would proceed on sound lines and promote Andhra culture in the true national spirit.

Sir C. P. Ramaswami next introduced a Bill to amend the Indian Ports Act, 1908, in its application to Madras Presidency. Under the definition of "vessels" in the present Act motor boats escaped from payment of port dues. To avoid such a contingency the present amendment of the Act is proposed. The Bill was passed.

#### Supplementary Grants

The House next discussed motions for supplementary grants. On the motion of the Home Member the grant was made of an additional sum of Rs. 85,000 under Forest Reserves for the establishment of three saw mills which are intended to supply 200,000 sleepers to the South Indian Railway during the year. Certain members urged the Government to Indianise the Forest Service and appoint Indians as Conservators of Forests.

The Home Member pointed out that out of 11 appointments made during the year to higher posts ten were given to Indians.

Another grant of Rs. 2,40,500 was also made to the Government for the purchase of two buildings in Bellary to be used as jails, one of which was to accommodate prisoners suffering from tuberculosis. In the course of the discussion it was elicited from the Government that the Andamans scheme for colonisation of Moplah prisoners had been temporarily suspended and the Local Government was in correspondence with the Government of India with regard to the constitution of the Committee as urged by the Legislative Council to enquire into the scheme.

The House, by a majority, granted a sum of Rs. 1,65,000 to the Government for the purpose of loans to the Madras Hindu Religious Endowment Board, which required this amount to meet its initial expenses and establishment charges, and also to defray legal expenses in defending some suits against it.

On the 7TH NOVEMBER the Council passed a number of supplementary demands for grants.

The principle of communal representation as applied to educational institutions was opposed by some members, with special reference to the Madras Medical College, on the ground that the tax-payers' money should not be utilised for the advantage of a particular community. It was pointed out by one speaker that in the Madras Medical College two-thirds of the accommodation was reserved for non-Brahmins.

One member defended the Government's policy in the matter of reservation on the ground that the community for which seats were reserved was not so well advanced in education that it required special facilities, and also on the ground that this community constituted more than 90 per cent. of the population of the Presidency.

The Council then adjourned till the 14th December.

On the 14TH DECEMBER, after questions, Mr. Satyamurti's motion for the adjournment of the House to discuss the Government's nomination to the Madras Corporation of Mr. Thanikachalam Chettiar, who was defeated at the election, was disallowed by the President, who stated that the purpose could have been achieved by moving a resolution.

Mr. Krishnan Nair's motion for adjournment for discussion of the policy of the Government in issuing an order prohibiting Exhavas and others from entering the streets

of Kalpathi during the car festival there, between the 18th and 16th November, was also disallowed.

Sir C. P. Ramaswamy Iyer, the Member-in-Charge, stated that the order was to have effect only during the car festival; that it was not intended to question the right of any community to enter the public highways and was only to preserve law and order. The Government left the matter to the discretion of the local officials. The Government were satisfied that there were possibilities of a disturbance at that time at Kalpathi, necessitating the promulgation of such an order. The Government policy was always to maintain the principle that everyone of His Majesty's subjects had the right to pass through the public highways, but they held that where the right pertained to a particular road, it had to be established by regular judicial proceedings.

The Council then proceeded with the introduction and discussion of certain non-official amendment Bills to the Madras Local Boards Act, the Madras City Municipal Act, and the Madras District Municipalities Act, but all the amendments were lost, except one by a member representing the depressed classes, who moved to amend the Madras Local Boards Act in order to give statutory effect to the Government order allowing any person belonging to any class or community to walk through any public road, street, or pathway in any town or village, and giving any person belonging to the depressed classes access to the premises of any public office, well, tank, or places of public resort, and to places and buildings where public business was transacted.

The amendment Bill was read for the first time, and referred to a Select Committee.

On the 16TH DECEMBER the Council took up the Madras Borstal School Bill, as amended by the Select Committee. The discussion was resumed the next day when the House unanimously passed the Bill into Law.

Sir C. P. Ramaswami Iyer, Law Member, moved a resolution recommending that the Madras City non-Mahomedan constituency be divided into two constituencies to be called the Madras City North Constituency and the South Constituency, for purposes of election to the Madras Legislative Council. He said there was public opinion behind the motion, and the Commissioner of the Corporation was also in favour of it. The Government was indifferent whether the motion was accepted by the House or not. The Government merely undertook to accede to public demand, and, therefore, brought the motion before the House to be accepted or rejected. Mr. Thanikachalam Chettiar and Mr. A. Ramasamy Mudaliar opposed the motion, on the ground that if it was accepted, it would curtail the privilege of voters, inasmuch as they would only be able to vote for two candidates, while, under existing arrangements, they could vote for four members. Mr. S. Satyamurti welcomed the resolution as a step towards the creation of single-member constituencies, not only in Madras but throughout the Presidency and declared that true democracy could function properly only in single-member constituencies.

The motion was lost, 21 voting for and 35 against.

#### Corrupt Practices Bill.

On the 18TH DECEMBER Sir C. P. Ramaswami Iyer moved the following resolution: "The Council accepts the principles of the Legislative Bodies Corrupt Practices Bill, introduced in the Legislative Assembly, on the 25th August 1925."

The Law Member in doing so said that the House was asked to accept the principles of the Bill, namely, that bribery of members of legislative bodies was to be made punishable. He had been asked by the Home Member of the Viceroy's Executive Council to take the opinion of the House on the matter.

The leader of the Opposition moved the following amendment to the resolution: "For the words 'principles of the Legislative Bodies' Corrupt Practices Bill introduced in the Legislative Assembly on the 25th August, 1925,' the following be substituted: 'The principle of making punishable corruption on the part of members of legislative bodies in India in the execution of their duties, and concerns. (1) That a Committee of the legislative body concerned be appointed (by a single transferable vote), of which the President shall be the President ex-officio, and the Deputy President member ex-officio, and should be constituted a court of record to try the offences mentioned in the Bill; (2) that a person convicted of any such offence should be liable to the maximum punishment of expulsion from the House; and (3) that the previous sanction of the President shall be necessary for the initiation of proceedings for any such offence.'"

The amendment was put to the vote and carried by 60 voting for and none voting against it. The Treasury benches and the nominated official benches remained neutral.

The House adjourned to meet again on the 8th February next.

# Assam Legislative Council

SHILLONG—2ND MARCH 1925.

## Governor on Increased Taxation.

The Budget Session of the Assam Legislative Council commenced on the 2ND MARCH 1925. Moulavi Abdul Rahim Chowdhry was elected President of the Council by a majority of votes. His Excellency Sir John KERR, Governor, in opening the Council, reviewed the financial condition of the province for the past five years, and pointed out the improvement in its position. He said the present remission of the provincial contribution granted to Assam would be of no benefit. Though the fact that the Government of India had been able to make a beginning with the reduction of the contributions was decidedly satisfactory and they might fairly cherish the hope that would not be many years before their turn came. His Excellency urged that until that time it would be a serious mistake to reduce deliberately the existing sources of revenue, and that was their justification for asking the Council again to pass Bills providing for an increase of court fees and stamp duties to raise additional revenue for the maintenance of the Transferred Departments. He undertook, if those Bills were passed, to devote during the next three years Rs. 10 lakhs to non-recurring schemes in the Transferred Departments, and a selection of those scheme would be made by the ministers, with the help of a committee appointed by the Legislative Council.

## Financial Statement for 1925-26.

Sir William REID, the Finance Member, then introduced the Budget for 1925-26. The main features of the Budget were that for the first time of the history of the reformed Government the Finance Member had been able to record that the coming year would witness a real closing balance of Rs. 24,62,000. Several schemes of improvement under road repairing and building operations had been included in the list of schemes for the ensuing year. The local Government had also paid off to the Central Government the overdraft of Rs. 12,67,000 of the previous year. The financial progress was due to the large closing balance of Rs. 23,28,000 appearing at the end of the year 1923-24 as against the budgetted closing balance of Rs. 8,97,000. The opening balance for the coming year was shown to be Rs. 27,15,000. Receipts have been augmented under the heads of Excise, Land Revenue and Taxes on Income. The total receipts from all sources during the coming year were shown to be Rs. 2,41,31,000 as against Rs. 2,40,000 of the current year and Rs. 2,25,45,000 of the last year. The total expenditure last was estimated to be Rs. 2,43,48,000 in the coming year against Rs. 2,36,50,000 of the current year and Rs. 2,29,95,000 of the last year. The stamp revenue had been shown as reduced by 3 lakhs as a possible loss to the revenue if the Council do not sanction the further continuance of the present Stamp and Court Fees Acts.

Salaries of the officers of the Imperial Services were budgetted for the coming year at Rs. 30,11,000 against Rs. 27,89,000 of the current year, the increase being due to the effect being given to the recommendations of the Lee Commission. Retrenchment and economy effected by the Government of Assam during the past years were also responsible to a great extent for the present prosperity budget.

In conclusion, the Finance Member, summed up the financial position of the Province: "I must candidly admit that the present improvement in our financial position is far beyond by utmost expectations. The most I dared to hope was that the end of the current financial year would find us after we had paid off the first instalment of three lakhs of our overdraft from the Central Government with a few lakhs in hand and with the prospect of clearing our debt in another year or two while at the same time adding little by little to our reserves in actual fact. We have paid off the whole to the overdraft and thereby incidentally effected a considerable saving in interest charges and we hope to end the year under budget with a balance of twenty-four and a half lakhs.

#### Remission of Provincial Contribution.

On the 3RD MARCH, after question time, Lieutenant-Colonel W. D. Smiles, a Planting member, proposed the adjournment of the House to protest against the unfair treatment meted out to Assam with regard to the remission of the Provincial contribution by the Government of India. The President allowed the motion on the condition that it be taken up for discussion the next day.

The House then considered and passed the Assam Municipal (Amendment) Bill, 1925, moved by the Hon. Rai Bahadur Promoda Chandra Dutta, and leave to introduce the Assam Settlements Bill, 1925, as asked for by the Hon. Sir William Reid was granted.

Mr. Nilmoni Phukan's resolution, recommending the Assam Government to move the Government of India to take the necessary steps for introducing a uniform all-India price of opium, was accepted by the Government.

Rai Sahib Har Kishore Chakravarty withdrew his resolution recommending the fixing of the salaries of the Ministers at Rs. 3,500 each, remarking that he would reserve his remarks for the discussion of the demand which will be put forward by the Government providing for a similar sum.

#### Prohibition of Opium.

Mr. Kuladhar Chaliha then moved a resolution recommending that the sale and consumption of opium in Assam, except for medicinal and scientific purposes, be totally prohibited, and accordingly legislation be undertaken immediately. He accused the Government of having no excise policy and quoted figures to show that the issues in opium were on the increase till 1921, when as a result of the vigorous efforts of the non-co-operation movement a reduction was effected.

He gave a very lucid history of the introduction of opium into Assam and how the policy of the Government had the effect of increasing the consumption. He gave figures from 1874 to 1924 and proved conclusively that the Government had no policy as regards opium. From the figures he stated that in 1920 the incidence for taxation per head of the population from opium revenue was Rs. 7-8-10 for Lakhimpore district,

Ra. 1-3-9 for Sibsagar, Ra. 2-3-8 for Nowgaon and Ra. 1-3-8 for Darrong. In his reply Sir William referred to the death of Lt. Singer for the alleged suppression of the poppy cultivation. Mr. Chaliha was ready with his facts and referred to the letter of Mr. Lushinton, Secretary to the Bengal Government, dated the 31st May 1862, where the reason of the death of this officer was given quite differently. Sir William looked very small and could hardly find words to support his arguments. Mr. Chaliha further stated that the public opinion of Assam is unanimous in condemning this Imperial traffic and he cited the evidence of Raibahadurs and Raisahibs before the Assam Opium Enquiry Committee in support of his contention. When he finished his speech the whole House was with him.

Mr. Rohinikanta Hatibaruah supported the resolution ably and he said the opium question is the only politics in Assam, specially in the Brahmaputra valley. Sj. Sarbeswar Baruah also supported the resolution. The entire national party contributed to the success of the resolution for the total prohibition of opium.

On the 4TH MARCH Mr. Sadananda Dowera moved that the provisions of the Assam Land Revenue Manual, relating to the rights and liabilities of the Government and the people and also to the settlements of land, be replaced by an Act or Acts of the Legislature. He pointed out that the decisions of the revenue courts were not uniform, and did not command the same amount of confidence as the judgments of the Civil Court.

Sir William Reid, on behalf of the Government, accepted the resolution, promising to appoint a committee to investigate the matter.

#### Travelling Allowance to Members.

Babu Brojendra Narain Chaudhury moved that in place of the 1 three-fourth first class travelling fares granted for railway journeys to Government officers and Council members, only two-second class fares be allowed, while the maximum halting allowance be fixed at Rs. 7½ per diem. He stated that in its present economic condition, the country could not afford to provide luxurious travelling and living and that the present day second class compartments were as comfortable as the first class compartments of 20 years ago.

The Hon. Sir William Reid replied that as regards Government officers, 1st class fares were granted only to officers who, in private life, would travel first class. As far as Council members were concerned, he left it to the House to determine the question. The Government would readily meet their wishes in the matter. The motion was lost by a large majority.

#### Remission of Provincial Contribution.

Lieutenant-Colonel W. D. Smiles moved the adjournment of the House to protest against the unfair treatment meted out to Assam, as compared with Bengal, in the matter of the remission of the provincial contribution. He declared that by the remission of Rs. 63 lakhs to Bengal, the Meston Committee's findings had been flouted, and asked why other provincial Governments were not consulted previously. Apparently it did not matter what taxes Assam paid, she got no benefits at the hands of the Central Government. The medical fee for attendance on dyarchy, which was seriously ill in Bengal, was Rs. 63 lakhs, and a further sum of Rs. 63 lakhs for two years more had been given her for convalescence. It was a gross injustice to Assam.



The Hon. Rai Bahadur Promode Chandra Dutta, Minister for Local Self-Government, in supporting the motion, said that Assam was always treated as a step-child. He declared that by not granting any remissions to Assam, the Ministry was especially embarrassed financially, and that paved the way to the unpopularity of dyarchy.

The Hon. Sir William Reid, speaking as leader of the House, said that when he became aware of the unjust treatment accorded to Assam in the matter, his loyalty to the Indian Government and to the Provincial Government got perilously near conflict. He regretted the decision of the Government of India.

Several other members also condemned the Government of India's action. The motion was ultimately put and carried, with only one dissident, in the person of Babu Brojendra Narayan Chaudhury, on the ground that the principle on which the Meston Award was based was not explained by the mover.

#### Transfer of Sylhet to Bengal.

Discussion on the resolution of Babu Krishna Sundar Das recommending to the Government that immediate steps be taken to open B.Sc. classes and to teach economics in the B.A. course in the Murari-chand College at Sylhet from the commencement of the next session was then taken up.

The Hon. Syed Mohammad Saadulla, Education Minister, replied that in view of the fact that the question of the transfer of Sylhet was in abeyance as a result of the resolution passed by the House last session, Government did not think it just or equitable to take any steps in the matter, specially as acceptance of the present motion would involve heavy recurring liabilities. Nor would it be fair to saddle Bengal with such fresh liabilities if Sylhet was to be annexed by Bengal.

A number of members opposed the motion, which was lost by one vote.

#### General Discussion of the Budget.

On the 5TH MARCH the general discussion of the budget was opened by Babu Brojendra Narayan Chaudhuri. He criticised the policy underlying the preparation of the budget which was to budget for large expenditure but actually to spend far less with the result that consciously or unconsciously the Government built up a balance of 27 lakhs. He criticised the P. W. D. and Land Revenue Budgets.

Babu Krishna Sundar Dam on the other hand congratulated the Finance Member on the prosperity of the provincial finances. He, however, deplored the expansion of opium revenue and regretted to observe that in the list of new schemes presented to the House the just claims of Sylhet and Cachar for water supply and medical relief have not found the recognition.

Col. Smiles suggested that the Finance Member in the next year's budget should omit contribution of 15 lakhs to the Central Government. He hoped that the scheme to convert Chittagong into major port would be supported by the Assam Government as it would ultimately benefit this province.

Mr. E. S. Roffey asked the Finance Member to press the Assam Oil Company for a reduction in price of petrol in Assam which was the scene of production and yet the price was higher than it was outside the province. This he characterised as scandalous.

Several other members spoke asking for further improvement of rural water supply and village sanitation for which purpose the Ministers should be provided with more liberal funds.

Next day, the 6TH MARCH non-official discussion on the Budget having unexpectedly terminated the day before, the Government benches proceeded to reply.

Sir William Reid, Finance Member, confessed there were few points for him to reply to. Referring to a criticism he stated that one provincial service officer was being appointed to the charge of a district and that in Surma Valley division all subdivisions were under P. C. S. Officers. As regards criticism on the Stamp Bills, that subject, he said, would be dealt with when it came up for discussion later. He disillusioned the mind of the House regarding the fallacy about allocation of expenditure between the Transferred and the Reserved sides.

Khan Bahadur Kutubuddin, Judicial Member, stated that he hoped to prove by quoting figures when the demands for grants were put forward that there was no ground for accusing the Government of selling justice nor would criticisms against the Jail Budget be justified.

Hop. Rai Bahadur P. C. Dutta, Minister of Local Self-Government made detailed reply to various criticisms levelled against his department.

To the criticism that no provision for a time-scale of pay for Subordinate Educational Service was made Hon. Maulavi Syed Saadulla, Education Minister, replied that he would deal with that question when the resolution on the same subject was discussed. As regards allocation of grants in aid the Hon. Minister pleaded insufficiency of funds.

Mr. H. C. Barnes replied that Mr. Roffeys remarks about the high cost of petrol would be brought to the notice of Assam Oil Company and with regard to the port of Chittagong Government realized its immense importance to Assam and sympathised with the wishes of the House but the subject did not come within the scope of this province.

Mr. G. E. Somes, offg. Chief Secy. quoted facts and figures dispelling illusion that the reserved depts. had been unduly favoured to the detriment of the transferred depts. Mr. G. T. Lloyd explained the opium policy of Government and Mr. O. H. Desenne that of P. W. D. budget. The general discussion of the Budget thus came to an end.

#### Court Fees and Stamp Bills.

On the 7TH MARCH, the House discussed two bills moved by Hon. Sir. William Reid, Finance Member, viz., the Assam Court Fees (amendment) bill 1925 and the Assam Stamp (amendment) bill 1925. In moving the bills Sir William stated that the object of extending operations of these measures for another 3 years was to provide a margin for expenditure on schemes of development and he gave an assurance to the House that the proceeds of these bills which would amount to approximately 10 lakhs would be utilised for developing those schemes in transferred depts., which the House may decide upon. The annual income would be 3 lakhs and Government would undertake to provide this sum for 3 years. There was a lengthy discussion on the subject which detained the House till evening. The argument against the introduction of the bills were mainly (1) that Government had enough funds at their disposal in view of a surplus budget this year and any improvements to be effected in transferred depts. could be

financed from this surplus; (2) that it would create a bad precedent to assent to these bills, as in future years transferred debts would be called upon to levy taxation for carrying out improvements in the transferred side and thirdly that the country was opposed to the introduction of taxation on principle.

The non-official members monopolised the whole discussion allowing the Finance Member no time to reply. There were many amendments which were all put and lost so that the bills were ultimately passed.

Sj. Sadananda Dowera then moved that a Committee of the House be appointed to consider how best to allocate the proceeds that will be derived from the bill and suggested that the revenue should be expended on improving rural water supply. This raised a protest from Babu Brajendra Narayan Chaudhury and the motion was dropped.

#### DEMANDS FOR GRANTS.

On the 12TH MARCH the Council discussed demands for grants. Srijut Khirode Chandra Deb moved that the Ministers' salaries be reduced to Rs. 2. He argued that the Ministers did not command the confidence of the majority party in the House, and by voting for the Court-fees and Stamp Amendment Bills they lost the confidence of the people.

The Hon. Sir William Reid, on behalf of the Government, maintained that the present salary of Rs. 1,500 granted to the Ministers was inadequate.

Mr. Roffey moved that their pay be raised to Rs. 2,500 a month.

Both the amendments were, however, turned down by the House and the original motion of the Finance Member asking that a sum of Rs. 3,500 be provided was passed.

Another motion recommending that the sum of Rs. 80,000 for the establishment of Commissioners be reduced was carried.

On the 13TH MARCH demands for grants with one or two exceptions were voted. A censure motion by Babu Brajendra Narayan Chaudhury recommending that the demand for the grant under jails be reduced by Re. 1 was carried by the house. The mover criticised the administration of jails generally and stated that the recommendations of the Jails Committee were not given effect to in their entirety. Sj. Kuladhar Chaliha in supporting the motion recounted his experiences in jail and condemned the lack of care and attention bestowed on convicts by the jail authorities.

On the 14TH MARCH Babu Brajendra Narayan Chaudhuri moved that the demand for the grant under European and Anglo-Indian Schools be reduced by Rs. 26,000. He pointed out that preferential treatment was being shown in the case of European education, and by way of comparison quoted figures for the education of European and Indian boys.

Sir William Reid, Finance Member, appealed to the House to protect the interests of the minority community. As regards the suggestion that Bengal should contribute part of the grant, Sir William said that the number of children who went from Assam to Bengal schools was greater than the number from Bengal to Assam schools. The motion was negatived.

Several other motions were discussed, after which the House adjourned.

On the 17TH MARCH demands for grants in the Transferred Departments under the heads Registration, Education (other than European) Medical, and Public Health came up for discussion in the Council. There

were several reduction motions calling for cuts of one rupee which, although ostensibly in the nature of censures, were put down evidently for inviting discussion and withdrawn on the Hon. Ministers making the necessary explanations. Thus the House passed on this day a total sum of over 37½ lakhs for the use of the Transferred Department.

On the 18TH MARCH the Council considered and passed demands for grants aggregating over fifteen lakhs partly under reserved and partly under transferred departments. There were four censure motions for reduction three of which were ultimately withdrawn and the fourth put to the vote and negatived. One motion moved by Babu Brojendra Narayan Chaudhuri was to the effect that the demand for the establishment of Superintendent, Civil Veterinary Department be refused. The mover's objective was the Superintendent Civil Veterinary himself, but that officers salary being non-voted, he being an imperial service officer, would serve purpose if provision for his staff were refused. The mover urged the replacement of this officer by an expert from provincial services.

Hon. Maulavi Syed Muhammad Saadulla, Education Minister, replying on behalf of the Government stated that this question would be considered on receipt of Government of India's instructions in connection with the general question in accordance with the Lee Commission's recommendations.

Another reduction motion moved by Sj. Nilmoni Phukan was to the effect that more money should be allotted for village communications which were being neglected by local boards.

The Hon. Rai Bahadur Promode Chandra Dutta, Minister Local Self-Government, reminded the House that local boards were autonomous bodies and Government had no power over them in the matter of spending money on village communications. Nor did Government pretended to be more familiar with local village needs than boards themselves but the desirability of paying more attention to this aspect of question would be impressed on boards. On being pressed to division the motion was negatived.

On the 19TH MARCH the report of the Select Committee on the Assam Water Hyacinth Bill was presented in the Council. The Report states that the Bill as originally drafted requires extensive amendment to make it of practical utility and at the same time to avoid as far as possible interfering with the rights of owners or occupiers of land. In view of material alterations its republication has been recommended.

A motion recommending the introduction of charka-spinning in primary schools was negatived.

#### The Muddiman Report.

In the afternoon Maulavi Faiznur Ali moved adjournment of the House to consider the Muddiman Committee's report. Before the discussion commenced the Hon. Sir William Reid informed the House that official members, save Ministers, would not take part in the discussion as Government had not yet been able to formulate their views in the matter. The sense of the House was to the effect that they subscribed to the findings of the Minority report but condemned those of the Majority report.

The following resolution was ultimately carried: "This Council disapprove of the recommendations of the Majority Report as retrograde, disappointing, and calculated to delay the attainment of full responsible Government in the country, and this Council while agreeing with the

Minority in the view that Reforms have failed and are incapable of yielding better results in future, recommend the adoption of such steps as will lead to the appointment of either a Round Table Conference or Royal Commission for devising a constitution for granting full responsible Government to the country.

On the 20TH MARCH Babu Krishna Sunder Dam moved a resolution recommending that suitable arrangements be made by the Government to provide free conveyance for the non-boarder students of the Murarichand College, Sylhet from the town to the new college site at Thackeray Tilla. The motion was pressed to a division and carried.

On the 21ST MARCH, after question time, the Hon. Sir William Reid moved that Assam Settlements Bill 1925 be circulated for the purpose of eliciting opinion thereon. The motion was adopted.

The House next proceeded to consider certain supplementary demands for grants. All the motions were carried except a demand of Rs. 2,800 under 47 Miscellaneous (Transferred) which was reduced by Rs. 1,800. This sum represented the allowance intended for senior E. A. C. of Shillong for performing duties of Vice-Chairman of the Municipal Board. It was contended that as Vice-Chairman of other Municipal Boards who were non-officials had not been similarly remunerated there was no justification for the present demand. The reduction motion was put and carried by 22 votes to 11.

There was some discussion under grant 'Administration of Justice' in connection with the expenditure incurred over Sylhet note forgery case. It was argued that as arrests in this case were made in Bengal and majority of witnesses came from that province the case should have been taken up in Bengal and resultant expenditure by that Government. The Hon. the Judicial member pointed out that although the arrests were made in Bengal the case originated in Assam and therefore it was incumbent on this Government to conduct it. The motion for reduction was defeated.

His Excellency the Governor then *prorogued the Council sine die*.

## The Autumn Session

SHILLONG—7TH SEPTEMBER 1925

The autumn session of the Assam Legislative Council commenced on the 7TH SEPTEMBER with Moulvi Abdul Hamid, President, in the Chair. After questions the President made feeling reference to the death of Sir Surendranath Banerjea, and subsequently moved the following resolution which was carried unanimously all standing :

"That this Council records its profound sense of sorrow at the sad death of Sir Surendranath Banerjea, the great pioneer in the field of Indian politics, who contributed full 50 years of devoted service to the material, social and political uplift of the Indian people, and offers its sincere condolences to the bereaved family.

Khan Bahadur Alauddin Ahmed CHAUDHURY next moved that the Assam Water Hyacinth Bill be taken into consideration.

Rai Bahadur P. C. Dutt, while sympathising with the object of the Bill, said that he felt constrained to oppose the motion on the ground that in the absence of the discovery of an effective remedy for the destruction of the

water hyacinth pest it was unfair to introduce a bill designed to give local bodies power to compel the people to destroy the weeds.

The discussion on this Bill had not concluded when the House adjourned.

On the 8TH SEPTEMBER the debate on the Water Hyacinth Bill, was resumed. Rai Bahadur Amarnath Roy's amendment, recommending that the Bill be re-committed to a select committee, was accepted by the House.

Khan Bahadur Alauddin Ahmed CHAUDHURI moved that a permanent committee, consisting of five officials and five non-officials, be appointed for advising the Minister for Education as the means to be adopted for stimulating Mahomedan education in the Province.

On the Minister explaining that a conference would shortly be convened, consisting of both officials and non-officials interested in the spread of Mahomedan education and the development of Islamic ideals so far as possible to work in harmony with the Text Book Committee, the mover withdrew his motion.

Babu Gopendralal DAS'S resolution recommending that the increased free rates in the high and middle English schools of the Habibganj subdivision in the district of Sylhet be at once reduced to the level of the tuition fees prevailing in all other such school in the Province was pressed to a division and carried.

On the 9TH SEPTEMBER the Council discussed partly official and partly non-official business. Two demands for supplementary grants amounting to Rs. 65,550 were discussed and ultimately passed.

Mr. H. C. Barnes, Finance Member, laid before the House a note on the present financial situation of the province and the Education Minister introduced the Assam Primary Education Bill, 1925.

#### Settlement of Waste Land.

Discussion on Mr. Rohinikanta Hati Barua's resolution was resumed. There were three amendments to the motion, which was ultimately accepted by the House in the following form :

"This Council recommends that the waste land in the Province should ordinarily be settled with the natives of the Province for special and ordinary cultivation with a view to encouraging agriculture by small capitalists in the Province without hampering the claims of immigrants."

The mover alleged unfair treatment on the part of the Government in the case of settlement of land as between Indians and Europeans, the latter, he stated, invariably being shown preference. He was supported by Mr. Kamakhyaaram Barua, who cited certain instances purporting to show preferential treatment to Europeans in the settlement of land. Mr. Sadananda Dowers stated that the resolution was merely the embodiment of the Government's pledge made during a previous session to the effect that they were encouraging small capitalists to open up land for cultivation.

Mr. H. C. Barnes and Mr. Bentinck, on behalf of the Government, considered that the resolution sought to exploit the poor ryots in favour of the small capitalist and this was most unjust and unfair. Mr. Barnes maintained that the rules under which the Government acted were just and did not result in unfair dealing. Certain vague charges had been made against the officers of the Government, accusing them of unfair treatment. These officers were not here to defend themselves, and it was unfair to make such attacks on them. At all events, the charges were very vague. This was the first

time he had heard such charges in all his service, and if any member had definite cases to put forward, the proper place was outside the House, when the Government would investigate the matter fully.

#### The Grazing Tax.

On 10TH SEPTEMBER the discussion on the resolution moved by Srijut Mahadev Sarma, recommending the abolition of the grazing tax in Assam, was continued. Two other resolutions on the same subject, one in the name of Mr. Sadananda Dowera and one by Srijut Nilmani Phukan were taken up simultaneously.

The mover said that the grazing tax was most unpopular in the Province and should be abolished.

Mr. Sadananda Dowera proposed the appointment of a committee to consider the draft grazing rules with special reference to the needs and wishes of every party. Srijut Nilmani Phukan suggested that the tax might be abolished altogether, except in the case of professional grazers.

Mr. Barnes on behalf of the Government said that the revision of the grazing rules was expressly undertaken as the present rules were working badly. The Government were desirous of relieving the ryot from the tax on his cattle and to tax professionals. He would not undertake to offer much consideration to the proposal for the total abolition of the tax. He had already written to a dozen members asking them to meet in committee to consider the new draft grazing rules, and further than that he would not go.

The amendment of Mr. Dowera recommending that Government appoint a committee to consider the draft rules was ultimately put to the vote and carried by 15 votes to 10.

#### Amendment of Tenancy Law.

On the 11TH SEPTEMBER a resolution recommending the amendment of the Tenancy Law of 1869 in the districts of Goalpara and Sylhet on the lines of the Bengal Tenancy Act, and the appointment of a Committee to make recommendation, was carried by a narrow majority.

Mr. Barnes, on behalf of the Government, said that he knew that no demand had been made by the people of the district for the amendment of the present Act. The Govt. were contemplating the appointment of a committee to enact the new tenancy law, which would meet the needs of Assam.

Srijut Nilmani Phukan moved a resolution suggesting that no waste land be granted to railway companies in Assam for other than railway purposes.

Mr. Barnes said that as the Government had always adopted that policy, he saw no objection to the resolution.

On the 12TH SEPTEMBER the Council concluded its autumn session when Mr. S. C. Barnes (Finance Member) presented the report of the Committee on Public Accounts on the audit and appropriation reports of 1923-24.

Maulvi Faiznur Ali suggested that the House should be given an opportunity of discussing such reports in future, to which the Govt. consented.

The Rev. Nichols Roy presented the report of the Select Committee on the Assam Temperance Bill and intimated his desire to introduce the Bill in the next session.

*The Council was then prorogued.*

# Bombay Legislative Council

BOMBAY—20TH FEBRUARY 1925

The Bombay Legislative Council opened on the 20th February when Sir Ibrahim Rahimtullah took the chair on receipt of His Excellency's approval of his unanimous election to its Presidentship. Mr. Pahalajani, Deputy President, who invited Sir Ibrahim to occupy the Chair, paid a tribute to his defence of popular rights and privileges, not only as President of the Legislative Council, but also as a member of the Executive Council before that. Sir Ibrahim Rahimtullah occupied the Chair amidst applause, and after expressing gratitude for his election, promised to uphold the dignity and traditions of the House.

The Governor's speech.

His Excellency, the GOVERNOR, in opening the session, delivered a lengthy speech which was listened to by the House and by the large number of visitors present. The Governor congratulated the House on its unanimous choice of its President. He also congratulated the Government on the fact of their first nominee to the chair being accepted by the House.

Referring to the Budget Sir Leslie Wilson pointed out that a very large proportion of the increase in expenditure in the new financial year's Budget was on account of the Transferred Departments. Out of new items of demands amounting to about Rs. 50 lakhs, no less than Rs. 35 lakhs were proposed for these departments. This allocation of revenue had been made in pursuance of the deliberate policy of the Government, the steady expansion of departments for the administration of which the executive was directly responsible to the Legislative Council. It remained now for the Council to consider how the necessary funds could be raised by the proposed taxation. He felt sure that in coming to a decision the needs of the Presidency as a whole would be considered. With regard to the suggestion that more money should be made available for the necessities of the Transferred subjects by reducing the Reserved Departments' expenditure, and the arguments that the Transferred Departments were the only nation-building departments of the Government, His Excellency reminded them that for buildings of all kinds a sound foundation was required, and many of the Reserved Departments were engaged in maintaining those secure foundations on which alone a national edifice could be safely erected. It would, for example, be useless to provide schools and teachers in the rural areas, if on account of gangs of robbers and dacoits the roads were unsafe for children to attend the schools.

His Excellency then left the Council Chamber, and the House proceeded with the day's business.

Presentation of the Budget.

The Hon. Mr. H. S. LAWRENCE, Finance Member, presented the Budget for the year 1925-26. The opening balance of the current year was Rs. 5.45 crores, and the closing balance Rs. 4.67 crores; while there was a net increase in revenue of Rs. 34 lakhs. There was a reduction in expenditure of Rs. 65 lakhs.

Next year (1925-26) the estimated revenue amounts to Rs. 15.68 crores, and expenditure debitable to revenue to Rs. 16.09 crores, leaving a deficit of Rs. 41 lakhs. To meet this it was proposed to impose extra taxation to bring in Rs. 42 lakhs in the following manner:—

Rs. 18 lakhs by increasing Court fees, another Rs. 18 lakhs by increasing the transfer of property fees, and Rs. 6 lakhs by taxing the Turf Club totalisator bettings.

While there is no increase in the total demand on the Reserved side there is an increase of Rs. 65 lakhs on the Transferred side. The opening balance of the year is Rs. 4.67 crores. From this Rs. 57 lakhs is being taken for non-recurring capital expenditure leaving a balance of Rs. 4.11 crores, or adding an estimated surplus of Rs. 1 lakh, a closing balance of Rs. 4.11 crores, including Rs. 1.48 crores in famine funds.



### General Discussion of the Budget.

The General discussion of the Budget took place on the 23RD FEBRUARY. The opposition to the new taxation bills proposed by the Finance member was voiced by non-official members. Messrs. Lalji Narainji and others appealed to the House to reject the measures. The development department also came in for a good deal of adverse criticism.

Next day, the 24th February, Mr. Joseph Baptista led the attack and complained of the executive irresponsibility.

Mr. A. N. Surve warmly acknowledged the Government's response to Non-Brahmans' demands. Other members severely criticised the inclusion of Lee Commission's proposals. Mr. A. M. E. Dehlavi, Minister for Excise, explained Government's policy regarding excise revenue and called attention of the House to the resolution issued on the subject this week.

Mr. Jadav, Minister for Education, who was constantly interrupted, narrated progress of education under stewardship and appealed to the House to view the Stamp Act Amendment Bill with favour as a measure if passed into law would affect only the rich.

On the 25TH FEBRUARY vigorous attacks on the Budget estimates were made by the Swarajists led by Mr. K. F. NARIMAN who criticised the Government policy. The speaker compared the debt position of Bombay with that of other provinces in India and said that while others were regularly decreasing their debts the Bombay Government systematically went on increasing their debts. It was said that India was not fit for home rule, but he would suggest transference of Finance Department to non-officials and they would show in three years that Indians were far better in financial administration than members of the present Government.

Mr. MONTGOMERY, Home Secretary, said that Government had cut down expenditure to the lowest possible limit. It was sheer impossibility to go any further. The incidence of crime in Bombay Presidency, said the speaker, was greater than in England and pointed out that there were no less than 827 murders in 1922, while in England and Wales there were only 60. In face of this, asked the Home Secretary, was it possible to reduce expenditure in Home Department?

Mr. JAYAKAR complained of Government extravagance and characterised the Budget as an adversity Budget.

Hon'ble Mr. H. S. LAWRENCE, Finance Member, replying to the debate attributed most of the criticism to imperfect understanding of the Budget probably owing to its complexity. He repudiated the charges of extravagance and pointed out that the complaints that nothing was done to cultivators were baseless and unsubstantiated by facts. Were no education, communications, medical relief, and sanitation, he asked, for the benefit of cultivators? He would appeal to the members to co-operate with Government in the war they were waging against ignorance and disease.

The general discussion on the Budget concluded and the House adjourned.

#### Stamp Act Amendment Bill

On the 26TH FEBRUARY the Stamp Act Amendment Bill was formally moved for the first time by the Finance Member. The measure was one of the three of its kind suggested by the Finance Member in his budget proposals for 1925-26, in order to meet the anticipated deficit of 41 lakhs; other two measure being Court Fees Act Amendment Bill and Turf Club Amendment Bill. In introducing the Stamp Act Amendment Bill the Hon'ble Mr. Lawrence explained the objects of the Bill and said that more money was wanted for proposed grants in a generous measure to municipalities and local boards for the cause of education, medical relief and easy communications which were all for the benefit of cultivators.

Consistent with the attitude revealed in the course of the general Budget discussion for the past three days non-official members offered uncompromising opposition to the very principle of extra taxation involved in the Bill. Mr. R. G. P. Pradhan's amendment inserting in the Bill that the whole of the revenue derived under this measure should be devoted for the purposes of education only was ruled out of order by the President on the ground that during the first reading only the principles of the Bill could be discussed and no details.

Mr. C. H. Hidayatullah, Minister for Local Self-Government, said that when Government with a view to economy introduced the photo-copying system in registration Departments members set up a hue and cry on the ground of forced unemployment of people.

Mr. R. G. Pradhan wanted an assurance from Government that revenue from this measure would be wholly ear-marked for nation-building departments only.

Hon'ble Sir Maurice Hayward assured the House that as far as possible Government would give preference to nation-building departments. He appealed to the House to pass the first reading of this Bill and that of the next one so that in the Select Committee they could consider whether extra taxation proposed was or was not for popular benefit.

On the 27TH FEBRUARY the Government sustained a defeat when the Council rejected the first reading of the Stamp Act Amendment Bill by 44 votes to 43. Heated speeches were made from both sides of the House, the non-officials appealing for rejection, and the Government benches appealing to the Ministerial party not to be dictated to by the Swaraj party which had a wrecking policy.

#### Court Fees Act Amendment Bill.

After a debate, lasting over two and-a-half hours, the Council adjourned further discussion on the first reading of the Court-fees Act Amendment Bill, which was introduced by the Finance Member and which met with strenuous and uncompromising opposition from the non-official benches, on the ground that it was an unbearable burden upon the poor agriculturists.

#### Demands for Grants.

##### The Meston Award.

On the 2ND MARCH the officials and non-officials unanimously condemned the attitude of the Finance member of the Government of India in regard to the injustice done to the province of Bombay by the Meston award and its very unjust execution. Mr. Lalji Narayanji proposed an adjournment motion in order to express the disapproval of the Government and the people of Bombay, of the present policy of the Central Government. He said that "the direct policy of Central Government is to kill Bombay industry and see that Bengal flourishes at the expense of other provinces." The Finance Member, Mr. H. S. Lawrence, endorsed the above charge and himself quoted figures and facts to prove that Bombay was done a great injustice. He threatened that steps would be taken to make the Government of India feel the weight of public opinion in Bombay. In order to avoid any feelings of bitterness, he also announced that the further consideration of the Bill to enhance Court Fees was postponed. He appealed to all to consolidate their ranks and to take joint action together in the common cause. The appeal was well responded to, and in a dignified speech Mr. Jaykar associated himself and the Swarajya Party with the Finance Member in condemning the Central Government.

##### Bombay Development Scandal

Mr. NARIMAN proposed a cut of Rs. 62 lakhs in the Bombay Development Department. Instances after instances were quoted by him by which he proved that corruption of the worst type was going on in the department under the very nose of the great gods of the Directorate. The Hon. Mr. Cowasji Jehangir tried to dodge the issue, with a view to hush up the whole scandal. Sir Lawless Hepper observed: "There was only one person more despicable than the anonymous letter-writer and that was the person who was making base charges against public officials without being able to substantiate them." Mr. Nariman retorted: "he was not making vague charges. He made them openly and without any anonymity. He was prepared to prove that the charges were true, if he were given an opportunity of substantiating them."

On the 5TH MARCH the non-officials scored a victory when Mr. D. B. Adhwani's motion to reduce by Rs. 33,80,000 the total grants of Rs. 2,83,80,000 under the head "Construction of Works in Lloyd Barrage and Other Canals" was carried by 48 votes to 44. The non-officials complained that detailed information had not been given. The Hon. Mr. Cowasji Jahangir, replying on the debate, said that owing to the rise in the price of steel they had to increase expenditure.

#### The Muddiman Report

10 MARCH 1925

A fiery stream of indignant eloquence swept the floors of the Council on the 10TH MARCH during the debate on Mr. JAYKAR'S motion to adjourn the House to call attention to the highly unsatisfactory nature of the Muddiman Committee's report and recommendations.

Sir Maurice HAYWARD, Home Member, at the very outset announced the Government's intention of not taking part in the debate as their opinions had already been published by the Reforms Committee in the appendices to their report. The Committee themselves were appointed by the Government of India and reported to the same Government, but not to the Bombay Government; but he would not like, however, to hinder a full discussion of this important subject.

Mr. M. B. JAYAKAR the leader of the opposition, then moved for an adjournment. In doing so Mr. Jayakar said that judged by any tests of popular advance the Majority recommendations were highly unsatisfactory. One would employ any tests one liked, whether from the point of view of the Legislatures, Ministers, or popular rights, and the answer was the same, namely that no advance was made in any of those directions. Did the recommendations enlarge the powers of the Legislatures over the Executive Government? Did Ministers get more control over the services, or over the finances of the Presidency? Was the distinction abolished between transferred and reserved departments and greater approximation arrived at between the two? The answer to all these questions was dismal. No doubt the terms of reference to the Committee were extremely limited. Though in a sense, circumscribed by a limited reference, there was no doubt that the Committee, if they were so minded, could have made the most valuable recommendations towards the abolition of many of the defects in the working of the Act and enlarging popular rights by doing so. It seemed to the speaker that the Committee's main concern had been to protect above all the right of the Indian Civil Service. In more than four places, there were references to the interests of those services made with the utmost care and solicitude and towards the end of the report, they wound up by saying that all attempts should be made to protect the rights and privileges of the Indian Civil Service.

The Committee were unnecessarily obsessed with the difficulty relating to the electorate. They forgot that when the Reforms Act of 1832 commenced in England not more than three to four per cent. of the population had vote and the percentage increased slowly right up to 1834. Similarly the Committee failed to realise adequately that Dyarchy had been tried for three years by the utmost enthusiasts of the Reform. Notwithstanding the fair trial given it, Dyarchy had failed. One had only to read the evidence given by the Central Provinces Ministers and one at once realised that the defect of Dyarchy lay in its inherent nature and not merely in the atmosphere in which the experiment was worked. Dealing with the recommendations Mr. Jayakar said that they were extremely unsatisfactory. No important department had been recommended to be transferred. Boilers and Gas, Labour housing, Forests and Fishery, these really did not teach people any responsible self-control or corporate power. Speaking of such departments as were considered in the Bombay Presidency as absolutely worthless, like stationery and stores, Law report, etc., even these, said Mr. Jayakar, had been very cautiously hemmed in by limitations which he characterised as unjustified under the circumstances.

He therefore held the view that in their recommendations the Committee were extremely halting but their recommendations by no means stopped there. In many particulars they were retrograde. Mr. Jayakar cited instances of Presidents of Legislative Bodies having been recommended to be made immune from the jurisdiction and control of High Courts and the non-removal of residential qualifications in the case of citizens of this country except Europeans. Mr. Jayakar amidst cries of 'hear' 'hear' said he did not know what share of the blame attached to the Bombay Government, at least such members of it as formed the minority of that Government. He however congratulated the Indian members of the Bombay Government on their courage and sagacity and uprightness in recommending full provincial autonomy. For their retrograde suggestions he could not think of congratulating the other members of the Government.

They talked freely of electorates, learning lessons of electing representatives with the sole view of securing a return of popular representatives. One might ask the question how were the electorates to learn the lesson? Had they learnt it in every country which enjoyed Self-Government? It had been well said that nothing fitted a man for liberty like the enjoyment of liberty itself. The Government had forgotten that they were not dealing with a subject race, but with a race which had all the consciousness of a civilised and cultured community, and which wanted little or no guidance in the attainment of Self-Government. Indians had enjoyed it before, and although they might have lost it during the interval the consciousness itself would not be long in coming. His complaint was that the present experiment would not produce that consciousness. They had been deliberately torn asunder by the device of a system of Government which kept them in the puddles of opposition. He was glad to read in newspapers that Lord Reading's own bent of mind was towards the Minority recommendations. He could only hope

that the news was true. "If India is to be saved or lost to the British Empire," concluded Mr. Jayakar with great feeling, "depends very largely on the step that H. E. Lord Reading takes to persuade the British Cabinet to take in that direction."

Mr. H. G. PRADHAN said that the Majority recommendations, particularly those relating to the Transferred Subjects, were most unsatisfactory. It was the duty of the Bombay Council to record its protest in no uncertain voice against the narrow illiberalism which was a feature of the recommendations. The speaker condemned the doctrine set up by the Committee that so long as Law and Order remained a reserved subject, land revenue should not be transferred. He pointed out that this was against even the Montford Report.

Moulvi Rafiuddin AHMAD said that he could not understand Mr. Jayakar raising the point of the unsatisfactory nature of the report. He thought Mr. Jayakar and the Swarajists were avowed opponents of Dyarchy and wanted to kill it. First and foremost they must have inter-communal and inter-party unity and then the Government would not dare refuse any reform they demanded.

Mr. A. N. SURVE (Non Brahman), in further supporting the motion observed that if Bombay was given provincial autonomy no harm would arise. He condemned the report if only because it had placed the Ministers in an absolutely unenviable and anomalous position. They were mere advisers to the Governor who could, if he wanted, override their advice. In that case the legislature might pass a vote of censure on the Ministers. Was this the development of a spirit of responsibility?

Mr. D. R. PATIL (Non-Brahman) declared that communal difference were bound to exist till the end of the world. Were they therefore to put off all reforms till the end of the world? No. They must ask for more and more reforms with a united voice, notwithstanding communal difference. Until and unless Dyarchy was done away with, the representatives in the Council could do no real service to their people.

Rai Sahib Dadubhai DESAI condemned the report as recommending retrograde steps. The subordination of Ministers to Civilian Secretaries was sought to be perpetuated by the Committee. He had expected transfer of all departments under the control of the Home Member at present to the control of popular Ministers, so that they could reduce expenditure on them with a view to increase expenditure on Nation-building departments, but he was disappointed.

Mr. JAYAKAR, replying, observed that if amusement should cost Rs. 45,000 of the tax-payers' money he would rather deny himself any amusement. (Laughter in which the officials joined). He agreed with Mr. Patel that notwithstanding communal differences they must take forward steps towards self-Government. Replying to Moulvi Rafiuddin Ahmed, Mr. Jayakar asked the former whether he and other non-officials did not desire to end Dyarchy. Dyarchy was sapping the very foundations of their life. Which Indian could tolerate it? The speaker concluded with an acknowledgment of Sir Maurice Hayward's courtesy in not participating in the debate.

Sir Maurice acknowledged the compliment with a bow. The motion was carried nem con.

### Budget Grants—(Contd).

On the 12TH MARCH discussion on budget grants was taken up. Mr. Nariman directed his gunshots against the Department of Industries and pointed out how people, other than Indians when appointed to responsible posts like the Director of Industries, try to give every sort of opportunity to foreign industries in India at the cost of indigenous ones. He urged the Government to take seriously to heart the advice of Mahatma Gandhi to encourage Cottage Industries. Mr. Dev. of Dhule observed that the Minister in charge should take notice of the fact that all the money that was being spent was nothing but waste and the department must be run entirely according to the will of the people. Mr. Jayakar asked the Government what they were going to do with the report of the Rahimtoola Committee. Messrs. Hussenhoy Laljee and G. I. Patel exposed the ignorance of the Hon. Member for Education and showed to him how the industries of match and pottery were being subjected to unfair foreign competition.

After the Industry Department was dismissed the Agricultural Department was ushered in the Council Hall. Messrs Dev and Chaudhari spoke very enthusiastically on various questions relating to agriculture. Mr. Bhopatkar observed that an enquiry should be made into the conditions of the agriculturists. Also the Deccan was gradually decreasing in rain supply, and the Government must take notice of it and teach the farmer to utilise the little rainfall that he gets, as was done in America. He also com-

plained about the insufficient arrangements made to diffuse agricultural knowledge in the peasant class. He concluded by touching the question of milch-cattle.

There was a lively discussion on the grants for the Public Health Department. Mr. Dev proposed a cut of 4 lacs and Mr. Jayakar while speaking on the motion of Mr. Dev questioned the utility of the services of the fat-salaried 'experts' in this department. Mr. Pahlajani further proved the utter uselessness of these so-called experts. The Hon. Mr. Dehalvi and Jadhav tried to explain the Government position. Ultimately the grant was voted.

On the 18TH MARCH an important ruling was given by Sir Ibrahim Rahimtullah, the President, during the discussion of a motion by Mr. Pahlajani for the reduction of Rs. 1 lakh from the total demand under the head Medical. Dr. Velkar, which speaking on the motion, referred to the alleged misconduct of certain officials of the Karachi hospital, and one of them discussed the conduct of the officials of another department. Sir Maurice Hayward raised a point of order, and the President, after citing a number of previous rulings on the subject, ruled that except where the salary of any particular official was concerned no member should attack that official, except by a distinct resolution of censure.

#### The Meston Award.

On the motion of Hon. Mr. H. S. Lawrence, Finance Member, the Council resolved to send a representation to the Government of India on the question of provincial contributions as decided by the adjournment of the 2nd March. In carrying out the motion, the Government had prepared a representation more or less on the lines of the speeches delivered on the last occasion by the mover of the adjournment motion, Mr. Lalji Narainji.

The representation, which was placed before the Council for its approval, expressed its conviction that grave injustice had been done to Bombay by the Meston Settlement. The case against the settlement was based on two distinct grounds, namely (1) that the distribution of the surplus revenue assigned to the provinces of India, over and above provincial revenue existing at the time of the Reforms, was determined in a haphazard manner, and bore no relation to the needs of the provinces and total taxation derived from those provinces, and (2) that this haphazard distribution was founded upon the application of federal principles of finance, which had not been adopted in any other federal government in the world. The position of Bombay was compared with other provinces in the matter of taxation and it was stated that Bombay was the most highly taxed province in India. An amplification of the arguments of the Hon. H. S. Lawrence and Mr. Lalji Narainji constituted the main features of the representation.

Mr. LAWRENCE, having moved that the draft representation be approved, several speakers rose to support it. Chief among the speakers were Messrs. Lalji Narainji and Mr. Jayakar. The former suggested certain changes in Mr. Lawrence's draft representation, where a reference had been made to federal as well as State income-taxes in Canada and the United States. Mr. Lawrence agreed to the change suggested.

Mr. M. R. JAYAKAR, leader of the Swarajya party, said that while he had no desire to obstruct his colleagues of the other parties if they wanted to send a representation in the name of the House, he was bound to tell them that personally he had no faith or confidence in the Government of India. Was it the first time that a representation to that Government had been made on behalf of Bombay? They should not forget that the Central Government had been treating the Bombay representation with scant courtesy. He urged sterner and stronger measures. He was sure that ere long the Bombay Government would find out that mere representations would not do, and that sterner measures ought to have been adopted. The Bombay Government should show that Bombay was by no means willing to face any new taxation.

The motion was carried unanimously.

#### Indian Match Industry.

When the grant for the Industries Department came up for discussion, several members accused the Minister of want of any knowledge in matters industrial, and a motion was proposed reducing the grant by Rs. 1,000.

Mr. Hoosainbhai LALJI said the Minister did not know anything about the match or any other industry. There were, he said, four match factories in the Bombay Presidency, one of which at Ahmedabad had been struggling for existence for the last 20 years. They were importing into Bombay logs of wood from Siberia, as it was found that steamer freight from Siberia to Bombay cost less than the railway freight on wood from Northern India to Bombay. That was not all. An American Syndicate with a capital of about £2 millions had started a big factory at Ambarnath, near Bombay, and were going to build

factories at Karachi, Calcutta and Rangoon, not with a view to supplying India's needs, but for the purpose of killing the existing factories in India. This syndicate, he said, had already taken in hand the match industries of Sweden, Czechoslovakia and China, though they failed to secure a footing in Japan, owing to the Japanese Government's resistance. That American match trust had cornered a chemical most essential in match manufacture which could not be bought except through that syndicate. They were also offering higher wages to experienced Indian workmen from existing match factories. He urged that the Government of India should intervene.

#### Education Minister's Policy Criticised.

On the 14TH MARCH discussion was continued on Mr. P. G. Joshi's motion brought forward the day before to reduce the total demand for education by Rs. 1 lakh. The mover made it plain that it was not to be considered as a motion of censure on the Minister for Education. Mr. M. R. JAYAKAR, while agreeing with the mover that it was not a censure motion, severely criticised the Minister and told him that on occasion the Swaraj party, which had been vilified by the Minister on all and sundry occasions and which had been represented by the same Minister as something horrible even to think of joining, was now standing between him and the vote of censure. He accused the Minister of humiliating his office by acting like a paid whip of the Government, instead of acting like the other two Ministers.

The Hon. Mr. B. V. JADHAV, Minister for Education, justified his non-Brahmin policy which had been questioned by some speakers. He was constrained to treat the motion as a censure motion, but he was not afraid of it. His conscience told him that he was not a failure. He knew that the majority of the house was with him. Speaking of the non-Brahmin policy he said that they were actuated by the same motive as the Swarajists and others, namely, looking after the country's advancement. If they did not agree with the Swarajist policy of obstruction they were not wholly supporters of the Government either. He recalled instances when non-Brahmins even in that session had voted against the Government.

Mr. A. N. SURVE, referring to the non-Brahmin policy, said he strongly resented any patronisation. As a self-respecting party they could not and would not stand any patronisation. If the House felt that the Minister was a failure, then let it not waste public money on him.

The Hon. Mr. JADHAV, replying to the debate, said that if the motion were carried, he was willing to lay down office. He then detailed the number of improvements he had introduced in the field of education.

Mr. JOSHI said he was satisfied that the Hon. Mr. Jadhav was seriously engaged in satisfying national aspirations and he withdrew his motion.

The House then proceeded to discuss other reduction motions. All reduction motions moved were either withdrawn or defeated. A motion refusing the grant under European Education (Reserved) was pressed to a division and lost. Another motion to reduce police expenditure shared a similar fate.

Mr. K. F. Nariman moved a reduction of Rs. 10 lakhs from the total Police grant. In doing so he drew attention to the Bawla murder which occurred soon after sunset in a prominent locality near the residence of the Commissioner of Police.

The President, intervening, said that he would not allow reference to be made to a case sub-judice. The President set the guillotine in motion at 5 o'clock and put to the vote the total demands. In five minutes all the motions for grants were carried.

#### The Bombay Rent Act.

On the 16TH MARCH an official Bill was introduced in the Council by the Hon. Mr. Cowasji Jehangir to amend the Bombay Rent Act in respect of residential premises which expires by the end of 1925. The Bill, which passed its first reading, seeks in a restricted measure to extend the provision of the expiring Act only in the case of residential premises, the parts applying to non-residential premises having expired in October last.

Mr. K. F. Nariman's amendment to the principle of the Bill extending protection to non-residential buildings also was ruled out of order by the President on the ground that it sought to go beyond the scope of the Bill. The President also explained that inasmuch as the House refused leave to Mr. Addyman at the last Poona session to introduce a measure on the lines of Mr. Nariman's amendment, the latter should be deemed as altogether separate from the scope of the present Bill.

The members then criticised the Bill generally and condemned it for not going far enough. Mr. M. R. Jayakar, leader of the Swaraj party, while supporting the restricted

Bill observed that the Swaraj party did not often find itself in a position to support a Government measure. He, however, thought that the Bill, whose principle he supported, should be radically altered in the select committee.

The first reading was then agreed to. The Swarajists having consented to work on the select committee.

On the 18TH MARCH the Council gave leave to introduce the following new Bills : A Bill to enable the Hindus of the Province of Sind to restrict themselves to Monogamous Marriages—by D. B. Adwani. A Bill further to amend the Bombay Land Revenue Code, 1879—by R. D. Shinde. A Bill further to amend the Bombay Town Planning Act—by L. R. Bhopatkar.

Mr. BHOPATKAR'S Bill to alter the constitution and to widen the powers of the municipalities was the first private Bill to come before the House for its first reading. This Bill from its very inception, sustained a strong opposition from the Government. Even the leave for its introduction was very grudgingly and ungraciously given by the Government in the last Poona session.

Mr. Bhopatkar's intention in moving that Bill was to meet the growing public demand to alter the constitution of the municipalities in the Presidency including the Province of Sind in such a way that the municipalities should be really useful to the public and free from official control. This Bill proposes to make all city municipalities wholly elected, the nomination being confined to 1/5 of the whole number of Councillors. There is a clause in the Bill intending to do away with the necessity of securing the previous sanction of the Collector for the discharge of certain functions.

The Hon. Member for Local Self-Government opposed the Bill on the ground that the Bill was of a very sweeping character and also the Government was very shortly going to introduce a similar Bill. Mr. D. R. Patil moved an amendment that the consideration of the Bill be postponed till the next session of the Council. The amendment was carried.

#### Amendment of Standing Orders.

After the private Bills were disposed off the second reading of motions to amend Standing Orders, which had been referred to Select Committee, were taken-up. The Select Committee had recommended that "provided the President permits, a member may move any of the resolutions that stand in his name, whatever their order on the agenda be, but no permission shall be given unless 24 hours' notice has been given to the Government member in charge, if he so desires." It was a very useful amendment but the Government benches opposing it very strongly it was rejected by 40 votes against 30.

Next day the 19TH MARCH, the last day of the Session, other motions to amend standing orders were taken up. Mr. Dev of Dhulia moved that the 12 days that were allotted to the Budget discussion should be considered very important and sacred and in those days no questions should be answered, or adjournment motions be moved. His intention in moving that amendment was to enable the House to consider the whole Budget. But the amendment was lost. Several other useful amendments proposed by the Swarajists were discussed and rejected by the House.

There were nearly 150 resolutions on the agenda paper of which only three could come before the House. One of them was to the effect to prohibit fishing in the Sabarmati river. The Government assured Mr. Swaminarayan that it would consider the question sympathetically upon which he withdrew his resolution.

The other and the most important resolution regarding pay of Bombay peons stood in the name of Mr. Bole and was carried without a division even though the government benches opposed it strongly. Mr. Jayakar paid tribute to the loyalty, integrity and patience of the Bombay peons and supported the resolution on behalf of the Swarajya Party.

The Council session was then prorogued by order of His Excellency the Governor.

## The Swaraj Party--Review of Council Work

"True to the wishes of the people they have to the best of their lights offered a fight to the Government at every turn and corner and have often come off successful after a hard fought struggle".

In those words the Swarajya Party in the Bombay Legislative Council concluded its report of one year's work in the Council. The report which was submitted to the electorates of the Bombay Legislature is a closely printed document of 44 pages recording in detail the part played by the party independently as well as in collaboration with the other parties in the Council in the legislative work of the presidency. The Bombay Council

Swarajya Party consisted of 23 Swarajists and 11 Independents and thus commanded "a trifle less than a third of total of 111 members who compose the Council"; about a third of the total forms the Government block while the remaining third is composed of the non-Brahmin party. The report claims for the Swarajya Party that it has creditably acquitted itself of the trust reposed in it by the electorates. It was not, however, able to oppose the Government as vigorously as sister branches could do in C. P. and Bengal Councils. Explaining the circumstances that led to this position the report chronicles the fact that the Bombay Legislature is more heterogeneous than any other Council in India and consists of representatives of four different parts namely Maharashtra, Guzerat, Sind and Karnatic which differ from each other not only in language and traditions, but even in their stages of political advance. The report says that the result is that the representatives from backward districts are still not free from official control and are unable to realise the significance of the Swarajist policy and programme. Referring to the non-Brahmin party which, the report says, invariably decides the vote of the Council, the Swarajya Party complains of the former party's persistence in not even giving an opportunity to the Swarajists to understand them by joint deliberations at least on important questions. The non-Brahmin party could not be persuaded, continues the report, to lend a strong and vigorous hand to the Nationalists in their struggle for political freedom. In the face of all disappointing factors the Swarajists and Independents have had to work. It is further claimed and this in light thereof that their work has to be appraised by the electorates. The report also proudly chronicles the fact of the place of honour as the leader of opposition having been by common consent assigned to the Swarajist leader, Mr. Jayakar, and also the fact of the party members being clad in pure simple khadder.

## The Autumn Session

POONA—20TH JULY 1925.

The Autumn Session of the Bombay Legislative Council commenced at Poona on the 20th July. After the swearing-in of new members the Council proceeded with the consideration of official Bills. The Government intimated the withdrawal of the Land Revenue Bill. Consideration of the Statistics Bill was postponed.

A resolution eulogising the services of the late Mr. C. R. Das was then moved, members of all the different parties and the President associating themselves with the spirit of the motion, which was carried unanimously.

The Council then proceeded with the second reading of the Bill for the Prevention of Adulteration of Food. Mr. Nariman urged the inclusion of a provision to include imported tinned food in the operation of the Act. Mr. Nariman's proposition did not meet with support.

On the 22ND JULY the Council passed the Adulteration of Food Act. The Bill to amend the Bombay Municipal Act which was under discussion and the clause regarding the appointment of a Municipal Commissioner was vigorously debated, Mr. Nariman moving an amendment suggesting the transfer of the powers of appointment and the removal of the Municipal Commissioner to the Municipality. The discussion was resumed next day, the 23RD JULY when the Council passed the third reading of the Bill to Amend the City of Bombay Municipal Act.

### Co-operative Societies Bill.

The Minister for Excise then moved the second reading of the Bill to Consolidate and Amend the Law relating to Co-operative Societies in the Bombay Presidency. The object of the Bill was to facilitate the formation of co-operative societies for the promotion of thrift, self-help, and mutual aid, particularly among the agriculturists, in order to bring about better living, better business, and better methods of production.



There were 126 amendments notified. One of these suggested that the Bill be returned to the Select Committee to consider the question of popular control of the societies and a reduction of the autocratic powers of the registrar. The Government opposed the amendment, which was lost, and the second reading was passed.

On the 24TH JULY the debate on the Bill and an amendment to the clause relating to exemption from income-tax, court fees, etc., was adopted proposing that the Government should give loans to registered societies, or guarantee the payment of interest on debentures issued by them.

With regard to the clause relating to contributions to a charitable purpose, it was agreed that, with the approval of the Bombay Central Co-operative Institute, and after the stipulations regarding the reserve fund had been satisfied, a society might set aside a sum not exceeding 20 per cent. of its net profits, and utilise from time to time the whole of such a sum in contributing to any public or co-operative purpose, or to a charitable purpose, as defined in Section II of the Charitable Endowments Act of 1890.

On the 25TH JULY after a protracted discussion lasting nearly three days, the Bill to consolidate and amend the law relating to Co-operative Societies in the Bombay Presidency passed its third reading.

#### Bombay Rent Act.

The Bill to further amend the Bombay Rent Act, 1918, was then presented for its second reading. The report of the Select Committee, consisting of 17 members, showed that eight members wrote minutes of dissent.

Mr. Surve's motion for the return of the Bill to the Select Committee was rejected, and the House proceeded with the second reading of the Bill.

On the 28TH JULY the report of the Select Committee on the Rent Act Bill was again taken up. Clause II of the Bill, which was altered by Mr. Nariman's amendment, extended the life of the Act till 1928. It was sought to be amended by Mr. Surve's motion that the Act should be made applicable only to tenements, the rents of which ranged between Rs. 8 and Rs. 150 instead of Rs. 85 as stated in the Bill. The amendment failed when put to the vote.

Another unsuccessful amendment, which took up a good part of the day's debate, was one which sought to decontrol the rents of chawls and dwelling houses erected by employees.

Clause II of the Bill, amending Section I of the second Bombay Rent Act, was then adopted.

Consideration of Clause III was postponed, and the amendment of Dr. Velkar to insert in Clause IV, a provision to safe-guard workmen against ejectment when a lock-out or strike had been declared, was forced to a division and declared lost.

On the 29TH JULY after some minor verbal amendments had been duly incorporated in the measure, the Co-operative Societies Bill was read a third time and passed into law.

The Council next proceeded to consider the Bill to amend the Bombay Rent Act clause by clause.

Several members took part in the debate caused by Mr. Nariman's amendment, which sought to re-adjust the sliding scale of the increase in rents during the years 1926 and 1927. The amendment proposed a reduction

of the increase allowed by the report of the Select Committee from 30 per cent. to 20 for the first year, and from 40 per cent. to 25 per cent. for the second year.

The Government said that the increase of 30 per cent. was allowed as no increments in rents had been allowed for the last ten years, and the measure would prevent land-lords to be exacting or to profiteer in a commodity required by all classes of the community; yet it would give them a normal increase, so that tenants might not take undue advantage of the protection afforded by the Bill under consideration.

The remaining clauses were incorporated after some discussion and alterations. Rental for houses occupied after 1926 were granted an annual increase of 10 per cent. The second reading of the Bill was left over till next, day to enable the Government to examine the Bill as amended.

The discussion of the first reading of the Bill to amend the Bombay Smoke Nuisance Act was not finished when the Council rose for the day.

On the 30TH JULY after consequential amendments the Bill amending the Rent Act passed the second and third readings.

The Bombay Port Trust Act was so amended that in future there should be no discrimination in the liability of the trustees between goods discharged by day or by night. Also the trustees were not to be held responsible if cargo was not removed by owners within 11 days of its landing in the Board's premises.

#### The Bombay Cotton Industry.

Mr. S. K. BOLE was then allowed to move the adjournment of the Council for the discussion of a matter of public importance. He submitted that in view of the grave situation in which the Bombay cotton textile industry found itself, and the possible effect of the decision of the Millowners' Association to reduce the wages of their workmen, which would affect 150,000 operatives of Bombay and their families, and also the effect of this situation on the welfare of the Presidency as a whole, the Governor-in-Council would be pleased to place the gravity of the situation before the Governor-General-in-Council, urging him to take such steps as would bring about immediate relief to the mill industry and the operatives working therein.

Mr. JAYAKAR, on behalf of his party, supported the motion, declaring that the Swaraj party had now vindicated their position that they were not subsidised by capitalists, as was the general belief some time back, but were some party standing between Labour and Capital. He asked the mill-owners if they had really investigated the question thoroughly, and if they had not found it reasonable to reduce profits and the salaries of their highly paid officers before deciding to cut down the wages of the mill operatives. He thanked the mill-owners' representatives for urging the Government to make a representation to the Government of India to take this Industry in hand.

The FINANCE MEMBER said that the Bombay Government was placed in a difficult position. The abolition of the cotton excise, he said, must be debated with sober deliberation, and not with picturesque epithets. He believed that it was established that the mill industry was in a bad condition, and the loss on the citizens of Bombay would probably be not less than Rs. 10 crores. He reminded the House that the ques-

tions of exchange and currency were most complex, and it was unfortunate that the policy of the Government of India was accused of moral depravity. According to him, the millowners had not put forward their case with all the detail which they no doubt possessed, and that, whenever their allegations against Japanese competition were contradicted, the Mill-owners' Association did not move sufficiently to prove their case. He advised the establishment of a system of commercial intelligence. He refuted the charge of mismanagement levelled against the Bombay millowners, but he believed that the abolition of the excise duty would not put the mills on their feet, though it would serve as a palliative for the reduction of a part of their losses. As regards the wages of labour, he said that a cut of 11½ per cent. would be only a very minor palliative of the evil, as it would amount to only Rs. 70 lakhs, or a little more than 1 per cent. of the value of the total out-turn of cloth. Whether Japanese imports should be welcomed or not he left the House to judge. He also advised both the millowners and the advocates of labour to ask for an enquiry by the Tariff Board.

After the Government had expressed its desire to mitigate the difficulty of both the labourers and the capitalists, the motion was carried unanimously.

The Act to impose a tax on totalisator betting passed the first reading and a Select Committee to report thereon was appointed.

#### Abkari Act Amendment Bill.

On the 31ST JULY after question time, the first reading of the Bill further to amend the Bombay Abkari Act of 1878 was moved. The proposed amendment makes it illegal for any Club to sell liquor without a license, and enables the Government to obtain fuller control over the consumption of foreign liquor. Very little opposition was offered, and the Bill passed into law.

The Bill to give wider power in the management of Municipal affairs in certain cities was then introduced. The Bill was read for the first time, and referred to a Select Committee.

#### Transfer of Improvement Trust.

On the 5TH AUGUST Khan Bahadur Shaikh Ghulam Hussain HIDAYATULLAH moved the first reading of the Bill to transfer the powers and duties of the Trustees for the improvement of the City of Bombay to the Corporation and to vest the property and rights vested in the Trustees in the Corporation. In explaining the provisions of the Bill the Minister emphasised that in order to prevent speculation in prices of land the new Board would determine the price of land while considering a scheme and not when the scheme was finally sanctioned.

After further discussion the Bill passed the first reading and the proposition to refer the Bill to Select Committee was also passed.

Khan Bahadur Shaikh Gulam Hussain HIDAYATULLAH next moved a Bill to amend the Bombay Local Boards Act, 1923. He explained that the need for the Bill was due to the discrepancies in the elections brought to light in the past on account of the defective wording of the Act. This Bill also passed the first reading.

The Council also passed the third reading of the amendments to certain Standing Orders.

## Children's Act Amendment.

Sir Maurice HAYWARD then moved a Bill amending the Bombay Children's Act. 1924. Five new clauses had been added to the Act making it penal to be drunk while in charge of a child, to give intoxicating liquors to a child, to sell tobacco or any smoking mixture to a child or young person, to incite a child to bet or borrow and to take pawn from a child.

The Home Member pointed out that the Bill had been brought forward in fulfilment of a promise made to the House.

The first reading of the Bill was passed, and on the motion of the Home Member it was referred to select committee.

Mr. Lalubhai SAMALDAS moved that a certain sum be appropriated from the item "Miscellaneous" for the purpose of revising the pay of village establishments in Sind. A lively debate ensued during which the non-officials demanded from the Govt. a definite assurance to the effect that the Govt. would put an end to the "Rasai" and "lato" systems in vogue in Sind.

The Home Member explained the point of view of the Government and gave an assurance that if public co-operation were forthcoming, and if the House would help in putting into effect the recommendations of the "Rasai" Committee the Government would do all they could to end the "Rasai" and "lato" systems. The demand was then granted.

Among the other demands moved one relating to the purchase of a plot of land near Jacob Circle, Bombay, for Rs. 1,54,945 for the purpose of further strengthening the position of the police so that, they could meet disturbances during times of industrial unrest was sanctioned.

On the 11TH AUGUST the Council resumed discussion on the Bill to amend the Bombay Village Police Act of 1867. The first reading of the Bill was passed and on the motion of the mover referred to a Select Committee.

## Bombay Town Planning Act

Mr. L. B. BHOPATKAR then moved the first reading of a Bill further to amend the Bombay Town Planning Act of 1915. According to the statement of objects and reasons the Act had proved a source of danger to the rights of those persons whose lands happen to be included in the town planning scheme as the Arbitrator was invested with autocratic powers. The Tribunal of Arbitration was a mere tool in the hands of the Arbitrator. The whole Act was so conceived and framed as to benefit the local authority at the cost of the landholders within its jurisdiction. All sorts of restrictions are imposed upon the landholders without corresponding liabilities put upon the local authority concerned. Mr Bhopatkar gave concrete instances from what had taken place in Poona.

Mr. HIDAYATULLAH, Minister, raised a point of order as to whether the local Legislature had the power to add powers to the appellate jurisdiction of the High Court and whether such a power did not constitute interference with Acts of Parliament.

Mr. M. R. JAYAKAR, leader of the Swaraj Party, observed that the Bill proposed to add certain powers to the appellate jurisdiction of the High Court. A mere addition of such powers could not be deemed as affecting any Act of Parliament. If the Bill had aimed at taking away from the appellate jurisdiction of the High Court any of the powers vested in it

by Letters Patent of Parliament, then the Bill could be considered as being out of order.

Sir Maurice HAYWARD held that Mr. Jayakar's interpretation was not correct and that whether what the Bill had proposed was a mere addition or a subtraction of powers, it nevertheless affected the Act, and as such the local Legislature could not deal with such a Bill.

The PRESIDENT said a similar point of order had been raised in connection with the Bombay Children's Bill and was referred to the Governor-General. Mr. Bhopatkar's Bill to amend the Bombay Town-Planning Act of 1915 was referred to the Governor-General subsequently and yet sanction was given without any reference whatsoever to any part of the Bill. It was common knowledge that before sanction was given to any Bill the Governor-General usually referred it to the head of the Department concerned. It was, therefore, a matter of surprise that sanction should have been given to Mr. Bhopatkar's Bill, which contained a debatable provision similar to the one contained in the Children's Bill and referred to the Governor-General. He (the President) could either rule the whole Bill as out of order, or allow the House to proceed with the consideration of the first reading of the Bill, and the point of order could be considered before the Bill came up for the second reading. He preferred to adopt the latter course.

The discussion of the Bill was then continued and the first reading being put to the vote was lost.

### The Swarajists' Withdrawal.

A meeting of the Swarajist members was held on the 14th August to protest against the treatment they were receiving in the Council, particularly the way in which the non-Brahmins supported the Government in refusing the formal motions for the introduction of Bills by Swarajist members at the meeting of the Council on the 13th August. After Mr. Joshi's Bill was defeated on this day (13th) he refused to ask for leave for any more Bills, and his example was followed by other Swaraj Party members. Since then they apparently decided to take no more part in that session.

On the 14TH AUGUST, when the Council met, the House proceeded to discuss non-official resolutions of general public interest. Mr. P. V. Joshi, who was the first on the list of resolutions, refused to move any of his three resolutions, and his example was followed by Mr. Dave, who had 10 resolutions in his name.

On the 15TH AUGUST in pursuance of the decision arrived at the day before the Swarajist members did not put the questions of which they had given notice, nor did they move the resolutions in their names. One or two members of the non-Brahmin party also joined in the chorus of "I do not move the resolution, Sir."

The business of the Bombay Council was finished on this day primarily on account of the Swarajist members declining to move the resolutions that stood in their name. As the Governor had not intimated the proroguing of the House, the Council was adjourned sine die.

### The Swarajists' Reasons for Withdrawal.

In announcing their decision not to take part in the proceedings of the

Bombay Legislative Council the Swarajist members issued a statement criticising the attitude of the non-Brahmin and Sind Moslem members. They state that they had given support to the non-Brahmins and Sind Moslems whenever their motions were in danger, but the result had been that the Swarajists had come to be regarded by those two parties as powerful levers for obtaining from the Government one concession after another, either communal or personal. The Government had gone on distributing their patronage among persons representing those parties in a manner which had had the effect of winning them over to the side of the Government.

The Swarajists did not desire to be converted into the unwilling instruments of communal or personal aggrandisement. The Government did not appear to be willing to accord to the Swaraj Party the position of respect and dignity which it deserved, by reason of its work and importance. Their one effort had been to try by all means, fair or foul, with the aid of the non-Brahmins and Sind Moslems, to defeat the Swarajists. Constituted as they were, the Swarajists were powerless to meet the tactics of the Government. They had, therefore, been compelled to resolve not to take part in the deliberations of the House, so that, with their withdrawal, the other section of the House which had so far remained inactive, would be thrown on their own resources, and would come to occupy their merited position, commensurate with their intelligence, strength and importance.

Concluding, the statement observes : " We are aware that this step involves the immediate sacrifice of minor advantages to the public, but this is inevitable. We are awaiting further development, and we venture to assure our constituents that all steps will be taken which are demanded by their self-respect and the dignity, of which we regard ourselves the custodians."

## The October Session

POONA—21ST OCTOBER 1925.

The first meeting of the third session of the Bombay Legislative Council was held on the 21st October at the Council Hall, Poona, Sir Ibrahim Rahimtullah presiding. Curiosity as to what the Swarajists would do during this session, whether they would continue the tactics of non-participation in the proceedings, or revert to the old method of responsive co-operation, had brought in a good number of visitors. When question-time came the Swarajist members did not put the questions they had sent in nor read the answers which had been prepared and printed in the list of questions and answers. They acted in pursuance of the decision they arrived at their meeting the day before to continue the policy of non-participation which they inaugurated during the closing days of the last session.

On the motion of the Home Member the consideration of the first reading of the Bill to provide for the collection of statistical information for public purposes was postponed.

### Betting Tax Bill.

The Finance Member moved the second reading of the Bill to impose a tax on totalisator betting and presented the report of the Select Committee thereon. The Select Committee had, by a majority, accepted the preamble of the Bill as well as the rate of tax recommended, namely, four per cent.

The motion for the second reading of the Bill was put to the vote and carried. Amendments to the Bill were then taken up for consideration.

Mr. S. K. Bole supported the Bill on the ground that the rate of tax proposed therein would go to add to the revenues of the Government. He suggested a rate much higher than that provided in the Bill.

Mr. C. N. Wadia, representative of the Millowners' Association, moved an amendment to the effect that the maximum rate of tax fixed by the Bill should be reduced to 2½ per cent, inasmuch as the Turf Club was a charitable institution and its capacity for doing charity would be crippled by the high rates of tax. After some discussion the amendment was lost.

Mr. H. M. Rahimtulla moved an amendment with the object that the tax proposed to be levied should really be a tax on the Turf Club and not on the public. The amendment was to provide that 90 per cent. of all the monies paid into the totalisator should be distributed among the winners. The amendment was lost.

The Home Member explained the point of view of the Government as being one of discouragement of gambling. The idea of a third enclosure did not originate in the Government but in the Turf Club; but when the third enclosure was started it was found helpful in suppressing the bucket shops and betting outside. He then moved the third reading of the Bill which was passed.

#### Stock Exchange Reform.

On the 22ND OCTOBER Mr. H. S. Lawrence, Finance Member, moved the first reading of the Bill to regulate and control certain contracts for the purchase and sale of securities in the City of Bombay.

The object of the Bill is that Government should take authority to enforce such rules as they may consider necessary for the interests of the public. This measure is in pursuance of the recommendations of the Stock Exchange Committee. Subject to the sanction of the Governor-in-Council, a stock exchange may make rules for the regulation and control of all transactions in securities other than ready delivery contracts. The Bill further provides the Governor-in-Council with power to refuse to sanction any or all of the rules and to add to, amend, vary, or rescind any of the rules. The first reading of the Bill was carried. The Bill was then referred to a Select Committee.

#### Children's Amendment Act.

Sir Maurice Hayward, Home Member, moved the second reading of the Bill to amend the Bombay Children's Act, 1924. Every one of the amendments of which notice had been given, was lost. A division was demanded on one of the amendments and the result was that the Government got a clear majority of 33 to 7. The Bill was read a third time and passed.

The Bill further to amend the Bombay Port Trust Act of 1879 was read a third time and passed.

#### Municipal Act Amendment Bill.

The Bill to give wider powers in the management of municipal affairs in certain cities was read a second time. As laid down in the statement of objects and reasons the principal object of the Bill is to provide a more adequate basis for municipal administration in the large cities of the Bombay Presidency. The Bombay District Municipal Act of 1901 applies to all municipalities in the Presidency, except the Municipal Corporation of the City of Bombay, and it has been felt each year with increasing force that the same Act cannot adequately provide for the needs of the larger and the smaller municipalities. Under the same Act, save where a chief officer or a municipal commissioner has been appointed the executive

administration centres in the managing and other committees. This may still be possible in the smaller municipalities, and in these the President may still be able to supervise and control the Municipal staff, and the Municipal Committee to perform the functions of an executive body. But in the large cities the Municipality can do little more than determine questions of policy. The Committees can exercise only a general control over the Municipal staff. It is therefore necessary to define with greater clearness the powers of the executive and to secure proper supervision and control by the appointment of a responsible executive officer, with clearly defined statutory powers, at the head of the Municipal staff.

An amendment was moved by Mr. R. G. PRADHAN to the effect that for the words, "the member of wards to be constituted for Mahomedans, non-Mahomedans and depressed classes," the words, "the constitution of wards, including a special ward for depressed classes," be substituted. The amendment was then put to the vote and lost.

On the 23RD OCTOBER the discussion on the Municipal Bill was resumed and considered clause by clause. Mr. A. N. Surve proposed an amendment that a person who pays, or promises to pay, any person whomsoever on account of the conveyance of any elector to or from any place for the purpose of recording his vote, as well as the person who hires, employs, borrows, or uses for the purposes of the election any boat, vehicle, or animal usually kept for letting on hire shall be deemed to have committed corrupt practice. Mr. Surve explained how in the past rich, but not deserving candidates had got into power by spending money freely and profusely for the conveyance of the voters to the polling booths and how specially in Bombay during elections corruption used to be rife. On the Minister in charge of the Bill accepting the clauses proposed they became part of the Bill.

On the 24TH OCTOBER Mr. A. N. Surve moved an amendment to the effect that a municipality should have power to regulate and restrict the slaughter of animals. The Minister in charge raised a point of order and held that the amendment proposed an addition of powers which did not fall within the jurisdiction of a municipality. Besides, the Government of India had not approved of the amendment. The President ruled the amendment out of order.

On the 26TH OCTOBER Mr. R. G. Pradhan moved an amendment to the clauses giving power to the District Magistrate to suspend by means of an order the execution of any order or resolution of a municipality and prohibit the doing of anything which is about to be done, or is being done by, or on behalf of, a municipality, and is doing, or is likely to cause, injury or annoyance to the public, or to lead to a breach of the peace, or is unlawful. The Collector is required by the Bill to forward such orders to the Commissioner and to the municipality affected thereby. The Commissioner is on his part required to submit to the Government a report of every such case.

Mr. Pradhan complained that in the past Collectors had interfered too often and for insufficient or no reasons with the working municipalities and that the Bill under discussion had left the autocracy of the Collectors unimpaired. It was, however, unreasonable and inexpedient to disarm the Collectors of all powers of interference inasmuch as the maintenance of law and order and the prevention of a breach of the peace were considerations of paramount importance in all administrations. It was but meet, therefore, that the Collector in his capacity as District Magistrate should have power to issue provisional orders.

The amendment was eventually lost. The Bill was read a third time and passed.



Mr. Hidayatullah then moved the second reading of the Bill to transfer the powers and duties of the trustees for the improvement of the City of Bombay and to vest the property and rights vested in the trusts in the Municipal Corporation of the City of Bombay. The Minister also presented the report of the select committee.

Both the motions were assented to by the Council.

#### Improvement Trust Bill.

On the 27TH OCTOBER the consideration of the Improvement Trust Transfer Bill was proceeded with.

Mr. A. N. Surve moved an amendment to provide for the representation of the poorer and working classes on the committee to be constituted under the Bill. The amendment also sought to deprive the mercantile classes of the representation proposed to be accorded to them. The amendment was lost.

Mr. Joseph Baptista moved the inclusion of the following clause: "The powers conferred by, and the duties imposed under, this Act on the Committee shall be exercised and performed by the Committee, subject to the general control of the Board."

The Minister in charge of the Bill agreed to the inclusion of this clause.

Mr. H. M. Rahimtullah moved the addition of the following clause: "The Board shall take over such of the development schemes of the Corporation as the Corporation may decide to transfer to the Board, subject to such financial adjustments and conditions as may be agreed upon, and on such decision being communicated to the Board all the formalities required under this Act before a scheme can be undertaken by the Board shall be deemed to have been observed." The amendment was put to the vote and lost.

On the 28TH OCTOBER Sir Vasantao Dabholkar moved an amendment that all references pending before the Tribunal of Appeal be transferred to the High Court. After some discussion the amendment was lost.

Mr. Hidayatulla, Minister, moved a Government amendment to Section 10 which made municipal commissioners ex-officio members of the Improvement Trust Committee. The number of nominated members was increased to four by adding one representative of labour from among the members of the Municipal Corporation.

All other amendments were gone through, but the third reading was postponed for purposes of consequential amendments.

#### Official Bills Passed.

On the 29TH OCTOBER the Bombay Port Trust (Amendment) Bill was read a third time and passed, the most important of the amendments made being that goods, if not removed in seven days after landing, should remain on the premises of the Port Trust at the risk and expense of the owners.

The Bill to impose a tax on totalisator betting was read a third time and passed after being amended to the effect that the Act should come into force in Bombay during the ensuing racing season in December.

The Major Municipalities Bill was then taken up. A number of verbal and consequential amendments were moved and passed. The Bill was read a third time and passed.

The Finance Member then moved the second reading of the Stock Exchange Control Bill and presented the report of the Select Committee. In doing so the Finance Member said that the report was unanimous. It did not mean, as it might strike some people, that the Committee did not go fully into the merits of the Bill. The views of the Bombay Native Shares and Stock Brokers' Association were heard. The Bill had been so

amended by the Select Committee as to give power to the Government to extend the Act to cities other than Bombay.

Mr. Joseph Baptista congratulated the Government on the introduction of such a useful and long-needed measure. The Bill would put an end to what had long been one of the greatest scandals of the City of Bombay.

The Bill was then read a third time and passed.

#### Improvement Trust Bill.

A number of amendments to the Bombay Improvement Trust Transfer Bill were moved on this day and passed.

Mr. Hidayatullah, Minister, thereupon moved that the Bill be read a third time. In doing so he said that the Bill had been framed and brought forward in response to an insistent public demand for years. He hoped that the day would soon come when the Improvement Trust would merge completely into the Bombay Municipal Corporation. Many members congratulated the Minister on initiating such a bold measure in deference to public opinion. The Bill was then read a third time and passed.

#### Bombay Municipal Act (City and District).

Mr. Hidayatullah then moved the first reading of the Bill to amend the Bombay District Municipal Act, 1901. The objects of the Bill are to provide that (1) persons sentenced by a criminal court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having been subsequently reversed or quashed, should be relieved from the disqualification on the expiry of the sentence or by an order of the Government in that behalf (2) persons dismissed from Government service, such dismissal having been notified in the "Bombay Government Gazette," and those being pleaders whose sanad had been withdrawn by the High Court, should no longer be disqualified from being members of a municipality.

The Bill was read a second and third time and passed.

The Bill to amend the Bombay Village Panchayats Act, 1920, and the Bill further to amend the Bombay Local Boards Act, 1923, on the same lines as the previous measure, were read three times and passed.

The first reading of the Bill to amend the City of Bombay Municipal Act, 1883, was moved. The object of the measure is to provide that persons sentenced by a criminal court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having been subsequently reversed, or quashed, should be relieved from the disqualification on the expiry of the sentence, or by an order of the Government in that behalf. The Bill was, however, read the first time and referred to a select committee.

On the 30TH OCTOBER, on the motion of the Finance Member, the Council approved of the report of the Committee on Public Accounts for the year 1923-24 and recommended to Government that effect be given to its recommendations. The Council also recommended to Government the introduction, as soon as possible, of the scheme for the formation of the Bombay Subordinate Engineering Service.

The Council then proceeded to deal with demands for supplementary grants. Mr. Jadhav, Education Minister, moved for a demand of Rs. 21,130 for a grant-in-aid to the Bombay Boy Scouts Association. In doing so he said that the Government had decided that the Boy Scouts movement could no longer be regarded as a Government establishment. The financial assistance to the Association should, therefore, in future be regarded as grant-in-aid.

After some discussion the grant was sanctioned. Some other demands of a technical character were also passed.

### Proposed Corrupt Practices Bill.

Mr. Joseph Baptista moved a resolution in order to voice the views of the Council on the Corrupt Practices Bill proposed to be introduced into the Legislative Assembly. He said that there was no one more intolerant of corruption of all kinds than himself and yet he could not see his way to support the Bill. The Muddiman Committee had, no doubt, unanimously recommended such a piece of legislation. The Muddiman Committee had muddled unanimously through many things. Their recommendation was not based on any evidence of corruption. There was no need for the legislation proposed. If it was passed it was bound to be a dead letter. Besides, it was likely to tamper with the independence of the members of the Legislatures. It was possible to bring charges against members. In the United States of America such legislation had not been found useful. On the other hand, it had led to ingenious evasions of the law.

Proceeding, Mr. Baptista said that he did not believe in the potency of the Penal Codes, nor in their purificatory character. He did not believe that laws could make men moral. He relied upon the sense of honour of members of the Legislatures.

Sir Maurice Hayward said that when he announced before the House at the commencement of the present session that the Government of India had sought opinion on the proposed Corrupt Practices Bill, and that it would be in the fitness of things if a non-official member of this House would move a resolution expressing the view of this House, he hardly realised that the question would be dealt with in the manner in which Mr. Baptista had treated it. What he (Sir Maurice) did expect was approval of the principle of the Bill after the good example of the Legislative Assembly and constructive suggestions for the improvement of the Bill in parts. He did not expect the wholesale and sweeping condemnation, that the Bill was derogatory to the dignity and independence of the members of this House.

The resolution was lost, 27 voting against it and 24 for it.

### Non-Official Bills.

On the 31ST OCTOBER the second and the third reading of the Bombay Village Police Act (Amendment) Bill were gone through in a few minutes with slight amendments.

Mr. D. R. Patil moved the second reading of the Bill further to amend the Bombay Hereditary Offices Act, 1874, and presented the report of the Select Committee. The original purpose of the Bill was to do away altogether with the power of Government to punish the representative "watandar" or "watandars" for the offence or misconduct of a deputy. The Select Committee however had by a majority decided that it was necessary that Government should retain the power of directing the absolute forfeiture of the watan of the nominating "watandar" and of his co-sharers, at least as regards offences against the State.

After some discussion the consideration of the Bill was postponed.

Mr. S. K. Bole moved that a Bill further to amend the City of Bombay Municipal Act, 1888, be read a first time. The object of this Bill is to democratise the constitution of the Municipality of the City of Bombay by reserving seats on the Corporation for representatives of the backward and the depressed classes. It proposes also to correct the distribution of the elected seats to be filled by each Municipal ward by introducing representation according to population and the lowering of the franchise from a Rs. 10 rental to a Rs. 5 rental.

On the 2ND NOVEMBER during question time Sir Vasantarao Dabholkar asked if the attention of the Government had been drawn to a confidential circular sent by a non-official member of the Council to the Indian members of the Imperial, Provincial and Subordinate Forest Services requesting them to furnish him confidentially with information regarding the constitution and working of the Forest Department, and whether a copy of the circular would be placed before the Council.

#### Bombay Municipal Act

The discussion of the first reading of the Bill to amend the City of Bombay Municipal Act was then resumed. There was a great deal of opposition to the Bill, both from the official and the non-official benches. Put to the vote, the motion for the first reading of the Bill was lost.

The Home Member then moved that a Bill to regulate and amend the law relating to the Courts in Sind be read for the first time. The object of the Bill is the creation of a Chief Court, consisting of a Chief Judge and three or four Puisne Judges with salaries sufficient to attract and retain permanently experienced judges, both from the Bar and the Services. The Chief Court, under the Bill, will have the power of making special rules for its own procedure, not only on the Appellate but also on the Original side of its jurisdiction as a High Court.

After some discussion the Bill was read the first time and referred to a Select Committee.

The Bill further to amend the Bombay Hereditary Offices Act, 1874, was taken up and with slight amendments read a third time and passed.

Mr. Noor Mahomed moved that a Bill further to amend the Bombay Local Boards Act, 1923, be read for the first time. The object of the Bill is to have an authenticated record of marriages for the purpose of production whenever required in a court of law. The debate on the first reading was not over when the Council rose.

On the 3RD NOVEMBER after some discussion the motion for the first reading of the Bill to amend the Bombay Locals Act was put to the vote and carried. Subsequently the Bill was referred to a Select Committee.

The President held that under the Standing Orders Mr. Surve's Bill further to amend the City of Bombay Municipal Act, 1888, was out of order, inasmuch as the principle underlying it was the same as that underlying Mr. Bole's Bill which the Council had rejected by a majority.

Mr. Joseph Baptista was then given leave to introduce a Bill further to amend the Bombay Prevention of Gambling Act with the object of making certain verbal alterations in the Act in order to remove the ambiguity in the definition of the term "gambling."

Leave was also granted to introduce a Bill to amend the law relating to the emoluments claimable by Watander Hindu priests and a Bill further to amend the Mamlatdars Courts Act, 1906.

Sir Vasantarao Dabholkar moved: "This Council recommends to the Governor-in-Council that an extra allowance be paid to the Police Force in Bombay up to the rank of Inspector for the hard and risky work which they have to do during the present mill strike in the city and for any other labour strikes in future."

Mr. Montgomery, on behalf of the Government, said that the matter was already under the consideration of the Government.

Dr. K. E. Dadachanji moved: "This Council recommends to Government to draw up a comprehensive scheme of sanitation and medical relief, both in the municipal and rural areas, and place it before the Council so as to reduce the heavy mortality from plague, cholera, malaria and other epidemics in the Presidency."

A number of speakers laid stress on the need of a medical relief and

sanitation policy complementary to the education and excise policies of the Government.

Next day, the 4TH NOVEMBER, the Education Minister, Mr. Jadhav, said that the Government had already taken up the consideration of problems of sanitation and medical relief and were endeavouring to extend the scope of medical relief in municipal and rural areas. The mover of the resolution had slightly exaggerated the conditions in the rural areas. Those conditions were not so bad as had been pictured. The mover had asked for a committee. It was doubtful if the Council would agree to it. The resolution was then put to the vote and carried.

The excise policy of the Government of Bombay came in for criticism by Mr. R. G. Pradhan, who moved a resolution asking for a small committee consisting of some elected members of the Legislative Council, officials and financial experts, to consider and report on the financial measures that should be introduced in order to give full effect to the policy of prohibition of the traffic in alcoholic drink and drugs.

#### Mill Workers' Wages.

On the 5TH NOVEMBER, the last day of the Session, Mr. Surve moved : " This Council recommends to the Government to appoint a committee to enquire if the 11½ per cent. reduction in the wages effected by the mill-owners of Bombay is at all necessary."

Mr. Surve said that the millowners had resisted and fought against all attempts at an enquiry, and thus alienated every section of public opinion. The millowners were obstinate in their attitude. They had no case. If they had a case, why should they refuse to submit to an independent enquiry ?

Refusing on behalf of the Government to accept the resolution, Mr. Cowasji Jivangir said that the enquiry asked for was impracticable and futile. The resolution was put to the vote and rejected by a large majority.

#### Betting by Youths.

Mr. Surve next moved : " This Council recommends to the Government to insert a condition in the license given to the Western India Turf Club prohibiting persons under 21 years of age from betting on the totalisator."

Mr. Montgomery, the Home Secretary, pointed out the impracticability of the suggestion made in the resolution. The resolution was put to the vote and lost.

The Council then accepted a resolution, moved by Mr. S. Nekaljay, recommending to the Governor-in-Council to recommend to the Imperial Government to consider the question of giving further opportunity to Mahars of enlisting in the army.

The Council was then prorogued.

# Punjab Legislative Council

SIMLA—6TH JUNE 1925.

## The Gurdwara Bill.

After a fortnight's adjournment the Punjab Legislative Council re-assembled on the 6th June in the Assembly Chamber, Simla to consider the Gurdwara Bill as amended by the Select Committee. (See Vol. I).

The agenda also included other official business. The visitors' galleries were crowded, the Sikh element being predominant. A large number of members were present. Lady Hailey watched the proceedings from the Viceregal box.

Although the list contained over 100 questions these were quickly disposed of. In the majority of cases the Government's reply was: "The answer is not yet ready and will be communicated to the member when ready." In a number of cases members asked for a reply to be laid on the table. Mr. Bodh Raj asked why an answer was not ready, and was told by Sir Fazl-i-Husain that the enquiry and the collection of material took time. Mr. Ruchi Ram Sabani protested, urging that the replies should be available when asked for after due notice later. Sir John Maynard said that the delay was due to the fact that the detailed information asked for required time to collect, hence the Government's inability in the majority of cases to supply the information that day.

Sardar TARA SINGH moved the consideration of the Gurdwara Bill. He congratulated the select committee, composed of members of all communities, on the cordiality and expedition which they brought to bear on their deliberation of such an important and historic piece of legislation. The Bill was divided into four parts. They had to decide what places were Gurdwaras, what property attached to them, what compensation was to be awarded to those who at present controlled them and what form of management should be provided for the future. The Bill was a compromise measure. He was not, however, satisfied with every provision in the Bill. He wanted the Central Board to be adequately armed to discharge its duties and responsibilities together with the local committees of management. He appealed to all members of the House to support the Bill. He did not consider the notes appended by Raja Narindranath and Dr. Narang as dissenting notes, but as the suggestions of friends of the Sikh members.

Dr. Gokulchand NARANG, leader of the Swaraj Party, speaking on behalf of the Hindu members of the Council, supported the Bill. He said his note attached to the Select Committee's report was not dissenting, but only contained suggestions for the consideration of the Sikh members. He had appealed to them to be generous in their hour of victory. The Udasis were the most hit. They had partly to thank themselves for it. A large number of them were good and pious men, but the sins of a few among them had fallen on the heads of all. Nor had they organised themselves sufficiently to impress their point of view on the Government. He and the Hindu members had done their best to put forward the Udasi view, but it entirely depended upon the Sikh members to accept their suggestions or not. The Udasis were faced with a similar situation as confronted the monks and nuns during the reign of Henry VIII. King Henry told the Members of Parliament that if they did not enact the law confiscating propertyed monasteries, he would take the heads of some of them. The members of the Punjab Council were in a lucky position. No such threat hung over their heads (laughter). Mr. Craik, Chief Secretary had told them that the weaker must go to the wall. He (the speaker) considered no sin greater than weakness.

Mr. Craik: I said the minority must go the wall.

Dr. Gokulchand Narang: That makes no difference. It does no credit to a representative of a Government to say that a minority must go to the wall. In this case the minority interest involved is not so material but when in future the Government has to protect the interests of the minority and do it justice it will have to revise the dictum.

Continuing, Dr. Narang said that as regarded Gurdwara management, in the interest of justice and fair play, Sikhs might favourably consider the cases of those

Mahants who were suitable for their present posts. He was glad to find that Sikh members were willing to agree to take proper care of the Samadhs (graves) of Udasi Saints.

However, he was sure that the Gurdwaras would be safe in Sikh hands. (Applause.) Whether they should be in Sikh hands or in Udasi hands was a matter of domestic concern to the Hindu community. What was important was that a third party should not interfere. The Hindus and the Sikhs were brothers, and he congratulated the Sikhs on having secured a treaty with the Government represented by the Gurdwara Bill. He hoped that its terms would be honestly adhered to, and that by direct or indirect means, the provisions of the Bill would not be undone. He also hoped that, as a result of private discussions with Sikh members, some amendments would be carried. He hoped the Sikh members, on the conclusion of their religious struggle, would throw the full weight into the national movement in the country.

Sir John MAYNARD said he wished to correct a misinterpretation put upon Mr. Craik's observations by Dr. Narang, who had taken one sentence from the text. What Mr. Craik was pointing out was that in a religious matter such as the one dealt with by the Bill the view of the majority of a community must prevail, and that of the minority go under. The Government always stood for the protection of minorities. Indeed, the Gurdwara Bill itself was proof of their anxiety to protect all interests. That was why, for instance, they had provided for local committees of management to be elected by the local electorate to manage the local gurdwaras. He repudiated the suggestion that the Government would not protect the minority against encroachment on the part of the majority.

Sardar Narain SINGH referred to the history of the Sikh movement and the alleged mismanagement of the Udisis, which led to the organisation of the movement. The speaker was called to order when referring to Jaito, where he said the Sikhs had gone only for religious reasons. Continuing, he assured the members that the Sikhs did not aim at a Sikh Raj, but would co-operate with sister communities in the management of the country's affairs.

Mr. Maqbool MUHAMMAD welcomed the Bill. The solution of a most difficult question was in sight. He attached the greatest importance to the provision for universal franchise and female franchise. He hoped the Sikhs would establish, by proper use of the franchise, an irrefutable argument for its extension in the country. He congratulated the Government for having displayed constructive statesmanship in the past. Government had an unpleasant duty to perform, and they did not forget it, even in face of unpopularity. He assured the Sikhs of the hearty support of the Moslems.

Mr. Jawahar SINGH said that all was well that ended well. Sikh relations with the Government would now be more closely cemented than hitherto. He particularly thanked Sir Malcolm Halley, who had piloted the Sikh ship through the troubled waters.

The motion for taking up consideration of the report of the select committee was then put and carried without dissent.

#### The Amendments.

The amendments were next discussed and a large majority of them were either not moved or withdrawn after discussion.

Dr. Gokulchand withdrew one amendment after receiving an assurance from Sardar Jodh Singh and Sardar Tara Singh that the graves of Udasi saints in the Gurdwaras would be kept under repair and respected, and that Sikhs would always be ready to separate the temples and Hindu places of worship from the Gurdwaras.

Another amendment of his was accepted in an amended form. It proposed the deletion of the words "for himself" which were inserted at the instance of the Legislative Department of the Government of India. The object of this was that a petition of claim to property included in a consolidated list be made by a person, either because of his own interest or because of his interest in an institution. As the Bill stood, it conceded the right only on personal interest.

The House then proceeded with the consideration of each clause of the Bill. Although there were 90 amendments, mostly in the name of Lala Bhodraj, Sardar Bhoota Singh and Dr. Gokulchand Narang, only a few were actually moved. Two amendments of Sardar Bhoota Singh were accepted. One amendment proposed that no person should be eligible for election as a member of the Board who was an Amritdhari Sikh.

Sir Fazl-i-BUSAIN said that the adoption of the amendment would deprive a large number of Sikhs of the right of election to the Board. If the Central Board, by a majority of three-fourths of its members, passed a resolution not less than two years after the

first board came into office to the effect that no Amritdhari Sikh be eligible as a candidate for membership to the board, the special Committee of Management or Local Committees of Management, then the Government would agree to sanction that decision. He emphasised two points, firstly—that the majority to pass the resolution should be a very big majority; secondly, the calm atmosphere they all desired would, it was hoped, very soon be reached, and, it was believed, would be in full swing after two years. If such a resolution was carried by the Board, it would carry very great weight.

Sardar Bhoota SINGH then withdrew his amendment. The other amendment of Sardar Bhoota Singh was to the effect that the General Board Fund should be applied not only to the payment of expenses lawfully incurred, but that any surplus amount might be used for religious, charitable or educational purposes.

Sardar Tara Singh accepted the amendment, which was carried. Practically all the amendments were withdrawn and the last clause, Clause 147, was agreed to amidst applause.

#### Court Language of Commission.

Sardar Bhoota SINGH moved the addition of a new Clause 148, laying down that the court language of the Judicial Commission under the Bill be Gurmukhi (Punjabi) unless the Commission directed the use of any other language. Several Moslem members raised the objection that the amendment had not been circulated.

Sir John MAYNARD said an amendment had originally been tabled urging Punjabi as the court language of the Commission, and the present amendment only amended that drastic amendment by giving discretion to the Commission in respect of the use of any other language.

Mr. Sadiq, Mr. Shah Nawaz, Mr. Afzal Haq and Mr. Abdul Aziz strongly protested against making Punjabi the court language. The Hindu members Mr. Nanak Chand and Mr. Bodh Raj supported the motion, pointing out that the Judicial Commission would consist only of Sikhs.

Mr. AFZAL HAQ asked whether that was the first fruit of Moslem support for the Sikhs, and blamed the Government for abandoning the Moslem members, though they had always supported the Government in the past. Mr. Shah Nawaz said that the select committee had rejected a similar suggestion.

Mr. Abdul AZIZ suggested as a compromise that only English be used by the Commission, and neither Urdu nor Punjabi. The Government was in a mood to concede all that the Sikhs wanted. He wanted the Sikhs of the attitude which Moslem members might adopt in the discussion of the schedules next day.

Sir Fazl-i-HUSAIN, replying in Urdu, said the discussion had both pained and amazed him. The question raised by the amendment was of no material importance. The Government had not even considered it in the Executive Council. The Commission was not a law court, but only a special body, and the amendment left to the discretion of the Commission the use of any language. He however left it to the Sikh members to consider whether they should press that unimportant amendment, in view of the feeling expressed by some members.

Sardar Jodh SINGH said he regretted that an innocent motion should have been made the occasion of threats by the Moslem members. He was therefore, obliged to say that if anybody helped the Sikhs in respect of the Gurdwara Bill, it was the Government and not any other community.

The President at this stage adjourned the Council till next day when the amendments were further discussed and the schedule considered.

On the 7TH JULY Sardar Jodh SINGH, continuing his speech in support of the amendment suggesting the adoption of Punjabi as the Court language of the commission, assured Moslem members that the amendment was not the thin end of the wedge to raise the language issue. He repudiated the insinuation that the Hindus had instigated the Sikhs to move the amendment.

Sir Fazl-i-HUSAIN suggested a new amendment, namely, that the language of the Judicial Commission be determined by the Commission from time to time. This amendment was carried without opposition.

Schedule I was next considered and, without discussion, five Gurdwaras were omitted from it and two were added. This was done as a result of private arrangement. The remaining schedules were passed without discussion.

Sir Fazl-i-HUSAIN contradicted the rumours among Sikhs outside the Council that the Government would not agree to the adoption of the title of Shromani Gurdwara



Parbandhak Committee as the name of the Central Board, if the Board so decided. If the Committee dissolved and transferred its assets to the Central Board and gave up the control of gurdwaras to the local committees, or to the Central Board, till the local committees were constituted, the Government would have no justification in refusing to sanction the name of the Parbandhak Committee.

#### Sikh Prisoners.

Sardar TARA SINGH, in moving that the Bill, as amended, be passed, thanked all those who helped in framing the Bill and in supporting it. Special thanks were due to Sir Malcolm Hailey for his efforts in the solution of what at one time appeared to be a difficult problem. He also thanked Mr Craik, Chief Secretary, the Education Minister, Mr. Dalip Singh, and the members of the Sikh Council for their help. He appealed to the Government to remove all their doubts and strengthen the hand of friendship which had been extended by Sir Malcolm Hailey and accepted by the Sikh community. The Government could easily create a healthy and pleasant atmosphere by releasing those who were in jail. Such an event would remove apprehensions and enable both sides to start a new era with a clean slate. (Applause.)

Sheikh Muhammad HUSAIN, in supporting the motion, said the release of the Sikh prisoners in jail, including those leaders of the present Sikh movement, before whom Sardar Tara Singh and his friends were but small fry (laughter), was essential if the Bill was to be given a fair trial.

Mr. Sewak Ram also appealed for the release of the Sikh leaders now in jail.

Sardar Gurbakh SINGH (Ambala), said there could be no joy in the hearts of the Sikhs unless the Sikh leaders were released. In order that there should be a healthy atmosphere for the successful working of the Bill the Sikh prisoners should be unconditionally released, kirpans should be free from restriction, the Jaito pilgrims should be free to conduct their religious observances and notifications declaring as unlawful such organisations as the Parbandhak Committee, Akali Dal and Akali Takt should be withdrawn. He thanked also the Sikh Sudhar committees for their help in connection with the Bill. He hoped the Sikh pant would give the Bill a fair trial.

#### Tribute to the Governor.

Professor Buchi Ram SAHNI said the Governor had shown both justice and statesmanship in tackling the question, and the thanks of all were due to Messrs. Buckle and Emerson for their help. He also appealed for the release of Sikh prisoners when the Bill received the assent of the Governor and the Viceroy.

Sardar Jodh SINGH, in supporting the motion, said in all their consultations with the Government the Sikhs confined themselves to the Bill and did not refer to any other matter, as had been alleged. The Sikhs knew that it was utterly useless to make other requests to the Government before a basis of agreement was found. Now, however, the fight was over, but there was the question of release of prisoners. One thing the Sikhs had learnt from the fight, and that was that the Government would not tolerate defiance of the law. Dr. Gukul Chaud had pleaded for no harsh treatment for the Udasis and others under the Bill. He assured them that it would be the duty of Sikhs to treat the Udasis in no harsh spirit. He appealed to the Government not to wait for a request from the Sikh prisoners, but to release them. Justice demanded it.

The Bill was then passed amidst loud applause.

On the motion of Sir John Maynard, the Punjab Motor Vehicles Taxation Amendment Bill was introduced, taken into consideration and passed without discussion.

Similarly, on the motion of Sir Fazl-i-Hussain, the Vaccination Law Amendment Bill was introduced and finally passed. The remainder of the business was left over for consideration in the next session in Lahore.

## H. E. The Governor's Speech

9TH JULY 1925.

On the 9TH JULY Sir Malcolm HAILEY, Governor of the Punjab, addressing the members of the Punjab Legislative Council on the subject of the passage of the Gurdwara Bill made the following announcement regarding the conditions of release of certain of the Sikh prisoners who were arrested during the Gurdwara agitation :—

- "The Panjab Government will release (or will withdraw from the prosecution of) any person (other than those persons who have been convicted of or are under trial for crimes of violence or incitement to such crimes) who has been convicted by criminal courts, or is under trial in such courts on charges arising out of the recent agitation in the Sikh community, or on charges involving offences against the Criminal Law (Amendment) Act, provided such release will be conditional on such persons signing an undertaking that they will obey the provisions of the law recently enacted, securing to the Sikh community the control and management of shrines and their endowments, and will not seek by means of force, or show of force, or by criminal trespass, to gain control or possession of any shrine or property attached to it or its endowments.
- "The Government will deal in a similar spirit with cases of forfeiture of land or pensions.
- "The notification of the 12th October 1923 declaring certain bodies to be unlawful associations under the Criminal Law (Amendment) Act will be withdrawn, if and when the Central Board provided by the Bill is duly constituted."

In the course of his speech His Excellency said :—

"This is not the occasion on which to stir up the smouldering ashes of past controversy or to recall events which seemed at one time to have set a large portion of the Sikh community in hostility to a Government with which it had so many ties of close friendship, honourable alike in peace and war. Those differences compelled the Punjab Government, reluctantly but inevitably, to use its powers for the maintenance of order and for the defence of rights conferred by the existing law. They led large numbers of Sikhs into open opposition to that law, and to action which subjected them to conviction by our criminal courts. With every desire to foster the new atmosphere in which we can hope now to envisage the future of this question, I could not conscientiously extend to all of that number the excuse that they were actuated purely by a desire to right a religious disability, or to secure the better management of their religious institutions. Nevertheless, it is true that large numbers were impelled to these courses, mistaken and dangerous as we ourselves held them to be, by a sense of offence to their religion. We deplored that belief. We denied that there was anything in our law or the administration of justice which interfered with the freedom of religious worship, and we claimed that if there was anything which militated against the religious developments which Sikhs sought to secure, or against the attainment of a better management for their religious institutions, a remedy could be found in legislation. We believed that a statute could be framed which, while it would not unduly prejudice the rights of others, would meet any legitimate claim which reasonable and religious minded men of the community could advance. If in the long and troubled chronicle of those events much has to be recorded which has resulted in resentment of the action of Government and much that we have had to deplore in the attitude of some members of the community yet history will at least render us this tribute that we never ceased our efforts to secure, and even to promote, legislation of this nature, for there was at the back of all this trouble a difficulty of real substance, which only a change of law could remedy. The attention of the outside world has been concentrated so much on the externals of the conduct that the actual problem which troubled those who were interested purely on the religious side has perhaps been obscured.

#### Revival of Sikhism.

"There has, in the latter half of this generation, been a keen revival of Sikhism of the stricter type, taught by the Tenth Guru. I need not analyse the course of this revival, or its course, but the inevitable tendency of a movement of this nature, with its insistence on a more rigid ritual, not only to quicken religious interest but to emphasise the consciousness of difference between the Sikhs and the Hindu community, from which they sprang. Furthermore, it brought into conflict the Amritdhari Sikhs, who now constitute the great majority of the population, with the minorities which still claim to be within worship which characterised the followers of the earlier Gurus. But the Amritdhari Sikh, with all his growing strength and with a central organisation ministering to his advance, found that many of the most revered and the best endowed shrines of Sikhism were in the hands of men who did not necessarily follow the Amritdhari form. They have indeed lately, as a body, publicly denied that they are now or ever had been Sikhs. True Sikhism was in the past under great obligations to the Udasias. They had been instrumental in building up the shrines and securing for them grants of land and money. In earlier days it was they who constituted the religious element in a militant

community, but the position occupied to-day by the managers of these shrines, secured as it was by a hereditary tenure, was not an easy one for the preponderant majority of Sikhs to face, and it was clearly not one which our civil courts, with their regard for established possession and settled usage could attempt to rectify.

#### Powers of the Courts.

"On another point of difficulty our courts could not operate. Many of the managers were men whose lives and whose services to the institutions were not open to reproach, but there were others of whom that was certainly not the case, and in this life the irritation bred by one open scandal will destroy obligations established by years of good work. With the scandals our courts could deal, but here again the procedure was far from rapid, and the result not always certain. It is not perhaps surprising that a demand should have arisen for the recognition of a purely communal management of Sikh institutions, and for liberty to deal both with endowments and their managers, unhampered by rights based on the usage of the past. Demands of this nature have constituted a common feature of religious development elsewhere in the world, and in one form or another efforts have generally been made to meet them. Our attitude was never one of opposition to the principle itself. If we differed, it was in our contention that the change could not and should not be effected by direct action, or by show of force. It could only be secured with the assent of the other communities which would be affected by the contemplated change of system, and could not be effective unless it were ratified by legislation.

#### The Gurdwara Bill

"Here, then, was the real problem. There were times when other issues seemed to obscure it, and we ourselves felt strongly that the religious difficulty was being pressed by sections to all appearance for other objects, and certainly in a manner which could not conduce either to the advantage of the community itself or the ordered progress of the Punjab. Nevertheless, it remained for settlement, and if other issues existed, they could not be judged on their merits, nor handled in an even temper on either side until the religious problem had been isolated. It is that problem which the Bill you have just considered is intended to solve. How far it meets the primary requirements of such a measure, the safeguarding of interests of other communities which claim their share in the use of shrines, the protection of minorities within the community itself, the compensation of persons whose connection with the management is terminated, are questions which time must answer. It has already this in its favour. It is a Bill promoted by Sikhs themselves, and accepted in this House by other communities with a cordiality which has obviated the necessity of a single dividing vote. It is freighted with the hopes of Sikhs for their future tranquility and the religious security of their community. It is launched amid the fair auspices of good-will from others, but its success depends on the spirit and temper in which Sikhs themselves approach the administration of its provisions. Hindus have long worshipped at many of the shrines with which it deals. Some of those contain relics of Hindus who have ministered to their service in the past. Let a wide spirit of tolerance regulate the dealings of Sikhs with them. The Udasis have in the past deserved well of the Sikhs. Let a discriminating liberality characterize relations with those members of the sect, against whom no charge of mismanagement can be laid. (Hear, hear). The minorities among the Sikhs cherish their position in the community. They share its traditions and have contributed to its achievements. Let the majority remember that rigidity in doctrine and exclusiveness in practice foster schism and disintegrate religions. (Hear hear.)

#### Kali Prisoners' Problem.

"I have given my word of advice to the Sikhs, and you will reasonably ask: What share is the Government prepared to take in endeavouring to secure the smooth and successful working of this measure? It has shown its goodwill in the preparation of the Bill. It has given its support to the Council. Is it ready to go no further? Appeals have been made to us to remove the sting and to obliterate the memory of the differences of the last few years by a general amnesty to all prisoners, and by the withdrawal of all pending prosecutions. It is admitted that we have throughout maintained the attitude that this measure must be considered on its merits as the legislative solution of a religious problem. We gave our support to the measure under no conditions, express or implied, but it can be pleaded against us, and on our own admission, that many of those now imprisoned have offended against the law with no felonious intent. At the best they are sufferers in the cause of religion. At the worst they have yielded inactively to the misdirection of others. It is urged again that so long as large numbers of the community

are still held in prison misunderstanding and rancour will persist, and the efforts of those who have been working for this settlement will be frustrated. Their task has not been easy, for they have met with much opposition from certain extreme sections. Unless we now assist them the very operation of the Bill itself may be imperilled. The appeal is powerful. It is one which would carry force even were the Government itself not anxious to work for that better understanding which we hoped that the Bill would help to foster. We have considered that appeal anxiously, and with every sympathy. Nor did it seem right to miss the earliest occasion of acquainting the Punjab legislature with our decision. I must remind you that the Bill still has to obtain the assent of the Governor-General, and that certain of its clauses require validation by the Indian Legislature.

#### The Government's Contribution.

"The Punjab Government is, however, prepared at once to take such steps as it feels to be possible, without risk to the maintenance of order or to a recurrence of those troubles which it is our object to compose. We cannot agree to a general or unconditional amnesty, but we are prepared to liberate all those who will undertake to follow the procedure laid down by the Bill for the settlement of difficulties which may arise in connection with the possession of shrines and their future management—(hear, hear)—and to refrain from resort to other courses. We feel that those who cannot accept or give effect to a solution proposed by their own representatives in this Council, and supported there unanimously by all the representatives of other interests concerned, are not fit subjects for the clemency of the Crown, nor would their liberation conduce to the atmosphere of peace and mutual toleration which can alone make this measure successful in operation. But it is best that I should read to you the precise terms of our decision. It is as follows:—

*Here follows the announcement given on page 287.*

#### Release of Jaito Jathas.

"That is the contribution which the Punjab Government brings to the furtherance of those aims which actuated this Council when it passed the Gurdwara Bill. But there is another outstanding problem, one intimately connected with the trouble which has agitated the Sikhs in the Punjab, though its scene does not lie within our own borders. I mean that arising from the despatch of jathas to Jaito. I am permitted to say that the Government of India, on their part, have not been less anxious than the local Government to recognise the determination now evinced by the Sikh community to seek a constitutional solution of their religious difficulties. They desire to mark this occasion by a measure which, while maintaining the authority which every Indian State must claim for itself, and which it is our duty to assert for a State under our charge, will nevertheless allow full freedom of access to those who desire to use the shrine at Jaito for legitimate purposes of worship. (Hear, hear.) By the favour of His Excellency the Viceroy, I am allowed to read the following announcement which will appear in the next "Gazette."

"The Administrator of Nabha will release Sikhs now detained in Nabha, or imprisoned there after conviction by criminal courts (other than persons who have been convicted of or are under trial for crimes of violence or incitement to such crimes), in connection with charges arising out of the recent agitation regarding the Gangsar Gurdwara."

"The Administrator of Nabha will permit bands of pilgrims to proceed for religious worship to the Gangsar Gurdwara under the following rules:

- (a) That they abstain from holding political diwans or spreading political propaganda during their sojourn within the State boundaries.
- (b) That they confine themselves to the use of the gurdwara itself, and such reasonable space around it as may be set apart for their accommodation.
- (c) That they will be self-supporting during their visit, the village and mandi of Jaito being excluded from the area set apart for their accommodation.
- (d) That any such band will arrive at Jaito by rail or by a road decided upon by the Administrator, and that suitable arrangements shall have been made to ensure that any such band of pilgrims will be unaccompanied by any sangat or following.
- (e) That the date of the arrival of any such band at Jaito is communicated to the Administrator in order to enable him to make suitable arrangements in connection with the same."

#### Need for Cooperation.

"These then are the decisions of the Government, framed with the single and sincere desire to contribute to the successful working of this measure, and in the sincere hope

that this may be followed by the return of the Sikh community to the paths of settled order, and to its old relations of trust and confidence in the Government. And now it is for those who guide the opinions of the community, whether inside or outside this Council, to make their choice and to shape their course. If they have ever felt the cause of their religion was at any time in peril, they must now realise that, with the assistance of this legislature, they have secured a measure which enables them to look with assurance on the future. For the rest, I counsel them to think with earnestness and with foresight on the future of their community. It cannot stand alone. Its welfare and its progress are bound up with the development of the great province of which it forms a part. For that development we need harmony and tranquillity, mutual trust, not only between the community and the Government, but between every section and class of the people. On that foundation alone we can rear the great edifice of the future. If they truly desire to establish the position of their own people, let them strive for that concord, realising that in the well-being of the whole lies their own prosperity and their own success. Their people have inherited great traditions from the past, they have great qualities no less valuable in the conditions of to-day. Let them contribute these not to any jealous or partisan ambition for their community alone, but to the tranquil, the ordered and the united progress of the whole of the Punjab".

## The December Session

LAHORE—3RD DECEMBER 1925.

The December Session of the Punjab Legislative Council was held at Lahore on the 3rd December. After the election of Chandhuri Sahabuddin as the President of the Council the House proceeded to transact official business.

The Punjab Tenancy Amendment Bill was introduced and referred to a Select Committee, and eight Government demands for supplementary grants were voted without discussion.

A lively debate followed over the next demand, in respect of Miscellaneous (reserved), asking the Council to vote supplementary grants of Rs. 26,150 to meet the estimated expenditure during the current year over the Police Enquiry Committee, and Rs. 20,850 to meet the expenditure over the Jail Enquiry Committee.

A number of non-official members opposed the motion, criticised the scope of the terms of reference of the two Committees and put in a strong plea for more non-official members on both Committees. The administration of the jails came in for a good deal of severe criticism from members, who asked that the scope of the terms of reference of the Jail Enquiry Committee be widened, and include among its members such men as Lala Lajpat Rai, who had experience of jail life, and who could elicit valuable information from witnesses.

Mr. Dunnott, Home-Secretary, replying on behalf of the Government, pointed out that Government had not fixed any period for the Jail Enquiry Committee, and if the volume of evidence was considerable and the Committee could not finish its work within the time limit, the Government would certainly extend the period.

On the 4TH DECEMBER the Council discussed a non-official resolution which recommended to the Government that non-official members of the Council be made non-official visitors of jails within their respective constituencies, and after a lively debate the resolution was carried without a division.

### Female Franchise.

Lala Bodh Raj then moved a resolution recommending the Government so to amend the Punjab Legislative Council electoral rules as to remove sex disqualification in the matter of registration on the electoral roll of persons who are entitled to vote in elections held for the Punjab Council. He strongly advocated the cause of female franchise, saying that the time had come when no restrictions should be put on women's rights simply on account of their sex, or on account of some false and ancient conservative custom prevailing in India.

On the 7TH DECEMBER Mr. Budhraj's resolution on the female franchise was continued, and after three hours debate in which several non-official and official members took part, the resolution was adopted without a division amidst applause.

### Mandi Hydro-Electric Scheme.

Professor Bucharam next moved a resolution recommending the appointment of a Committee to enquire into and report on the relative merits of the Mandi hydro-electric

and Madhopur schemes, and requesting that no further expenditure be incurred on the Mandi scheme till the report of the proposed Committee had been examined by the Government. The resolution was opposed by Mr. Sangher, Chief Irrigation Engineer, Punjab, and was under discussion when the Council adjourned.

Next day, the **8TH DECEMBER**, after three hours' debate the Council rejected Professor Ruchi Ram's resolution on the Mandi Hydro-Electric scheme and the Madhopur scheme.

Rai Sahib Chottu Ram, Minister for Agriculture, opposed the motion, and said the Madhopur scheme was technically unsound. The appointment of another committee would only delay the Mandi scheme and waste a good deal of the money the Government had already spent.

Another resolution moved by Chaudhuri Dulichand, recommending preferential treatment to statutory agriculturists and the stoppage of further recruitment of non-agriculturists till the deficiency of samindars in the various Government services was made good, was talked out after an hour's discussion.

#### Supplementary Demands

On the **11TH DECEMBER** Sardar Jodh Singh's amendment for a reduction of Re. 1 from the supplementary grant demanded by the Government to meet the expenses of elections under the new Gurdwaras Act was resumed, when a number of non-official members once more took the opportunity of appealing to the Government to release the Sikh prisoners.

Sir John Maynard, replying on behalf of the Government, informed the House that the time for the measure asked for had not yet arrived, and he did not want to add to the mischief which was being done by too much talk on the subject.

The amendment, however, being put to the vote, was carried without a division.

The original demand with a reduction of Re. 1 was then passed without discussion, and the rest of the supplementary demands of the Government were then voted in quick succession.

#### Punjab Money Lender's Bill

On the **12TH DECEMBER** Mr. Maqbool Mahmud introduced the Punjab Money Lender's Bill amid some opposition, and moved that the Bill be referred to a Select Committee.

Sir John Maynard, explaining the attitude of the Government, said that the money-lender was essential for the rural people and their requirements, and about Rs. 10 crores were required annually by agriculturists in the Punjab from money-lenders to carry on their business. The aim of the present Bill was to deal with one particular evil, namely, the bad and vicious system of account-keeping by money-lenders, and, in the event of the Bill issuing from the Select Committee in a form which the Government did not approve, it might take any attitude it thought fit, but for the present he supported the Bill on behalf of the Government for reference to a Select Committee.

On the **14TH DECEMBER** the Council devoted fully four hours to the discussion of the motion of Mir Maqbool Mahmud for referring the Punjab Money-lenders Bill to a Select Committee, which evoked strong opposition when the Bill was introduced.

After a lively and heated discussion the motion was carried by 44 votes to 10.

Raja Narendranath moved an amendment to the effect that the names of Mr. Gray, Rai Bahadur Dhanpat Rai, and Sardar Narain Singh be added to the Select Committee. He said that the measure savoured of a class and communal measure, and, in requesting the Council to add the names of those three members, he wanted to balance the number of supporters and opponents in the Select Committee.

Sir John Maynard opposed the amendment and said that the Select Committee should not consist of such a large number of men.

Dr. Gokalchand Narang challenged the statement of the Government that the measure was a purely economic one and pointed out that it was special pleading for a special class. He was surprised to see the Government supporting the measure and hoped there would be a limit to such unholy alliances.

The amendment was lost and the Bill was referred to the Select Committee consisting of the members proposed by the mover.

The Punjab Aerial Ropeways Bill was introduced and referred to a Select Committee, and the Punjab Tenancy Act (Amendment) Bill, as reported off by the Select Committee, was taken into consideration and passed.

The Council then adjourned *sine die*.

# U. P. Legislative Council

LUCKNOW—19TH AUGUST 1925.

The first meeting of the United Provinces Legislative Council was held on the 19TH AUGUST, Rai Bahadur Lala Sita Ram was elected President by a majority of votes.

References were made to the death of Mr. C. B. Das, Sir Surendranath Banerjee and others.

## Municipalities Act.

On the 20TH AUGUST Pandit Hargovind PANT moved that the Bill to amend the United Provinces Municipalities Act of 1916 be taken into consideration. He said the Bill sought to extend the municipal franchise and aimed at removing the ban against political offenders who had been imprisoned for more than six months. Raja Jagannath Bux Singh's motion that the Bill should be circulated for the purpose of eliciting public opinion was carried by 38 votes to 30.

The Bill to amend the District Boards Act of 1922 was referred to a select committee consisting of 23 members.

Pandit Yajna Narain UPADHYA moved a resolution recommending the appointment of a committee to suggest means of alleviating unemployment among the educated classes in the Provinces. The motion was adopted with an amendment by Khan Bahadur Fasihuddin who suggested that the Directors of Agriculture, Industries and Education should be members of the committee.

On the 21ST AUGUST, the debate on the resolution regarding the amendment of the Municipal Act of 1916 was resumed. After considerable discussion, in the course of which several members stated that the Act contained many defects and needed overhauling, while others declared that it was impossible to postpone the elections on such grounds, Mr. Merhotra's amendment to the effect that the elections should not be postponed was accepted. The resolution, as amended, was then discussed and defeated.

## High School and Intermediate Education.

Dr. Ziauddin AHMAD moved that the Governor, acting with his Ministers, should appoint a committee to consider the scheme of high school and intermediate education, and the desirability of reducing the secondary education course to eleven years, followed by a three years course for the ordinary B. A. course.

In the course of the discussion, Dr. Ganeshprasad and Dr. Saafat Ahmad supported the motion. They considered that the Board of High School and Intermediate Education Act had done more harm than good to education in the Province. Dr. Ziauddin said the recommendations of the Sadler Commission were not suited to the Province. Dr. Ganeshprasad said he feared that the operation of the Board of Intermediate Education Act had tended to lower the standard of examinations in the Province. Dr. Saafat Ahmad Khan said that boys were made to waste two years of their life in studying for intermediate examinations..

## Jail Administration.

On the 22ND AUGUST, Babu NEMISARAN moved a resolution recommending to the Government to appoint a committee to revise the Jail Manual so as to make jail administration more humane and more in accordance with modern ideas. Further, that all practices in jails which savoured of racial distinction should at once be stopped; that expenditure per head of the jail population should be uniform, irrespective of the class, or race of any individual prisoner, and that a standing committee of the Council be appointed to advise the Government in the Jail Department.

The mover made a number of allegations of ill-treatment in the jails although he admitted that many improvements had been made.

The Maharaja of MAHMUDABAD, Home Member, said he had been trying his best to remove all just and reasonable grievances. That prison diet was more or less wholesome was evident from the fact that prisoners mostly gained in weight. In conformity with

the rules of the Jail Manual the Government were doing their best to eradicate all racial distinctions. After further discussion the resolution was carried without a division.

#### Punitive Police Tax.

Chaudhry Badan SINGH moved a resolution recommending to the Government to absolve the residents of places where punitive police were stationed from liability for the payment of punitive police tax from the 1st August, 1925.

The Home Member, in opposing the resolution, pointed out that the demand put forward in the resolution was in itself against the express provision of the law. The tax had a different effect on would be rioters, and before Chehelum and Dasehra had passed off it was impossible for the Government to withdraw the punitive police from the areas where communal relations were strained. The resolution was carried by 29 votes to 25.

#### Political Prisoners.

Babu Damodar DAS recommended to the Government to exempt all those persons who were dismissed from Government service or sentenced to imprisonment in connection with the non-cooperation movement or on political grounds, from the disqualifications debarring them from seeking election to local bodies.

Mr. Hafiz Hidayet Hussain moved an amendment inserting the phrase "not involving moral turpitude" after the words "dismissed from Government service." The amendment was accepted by the House but the resolution as amended was defeated.

Raja Jagannath BUX SINGH moved a resolution recommending that the Council Chamber, including the wings, should be completed at as early a date as possible. It surprised him to learn that the present intentions of the Government were to build a Council Chamber without the wings. As originally planned all the Ministerial offices attached to the Secretariat were to be accommodated in the wings of the Chamber, and if the building of the wings were postponed there would be considerable difficulty in accommodation. The resolution was carried.

#### Encouraging Jail Industries.

On the 24TH AUGUST a demand for Rs. 64,377 (gross Rs. 70,367) under the head "General Administration" resulted in some discussion. Amendments were moved urging a reduction in the amount of purchase of tents for district officers on grounds of financial stringency, but Sir Samuel O'Donnell explained that considerable reduction had already been made. Nearly a lakh and a half was badly needed to renew tents but in view of the present financial conditions Government were going to provide at present only Rs. 50,000 on this account. The amendments were negatived.

The Council adjourned *sine die*.

## The December Session

LUCKNOW—14TH DECEMBER 1925

After an interval of about four months the United Provinces Legislative Council met on the 14TH DECEMBER with Rai Bahadur Lala Sitaram in the Chair. The business of the House was confined to a condolence resolution on the death of the Queen-Mother, swearing in of Members, and presentation of the report from the Committee of Public Accounts.

#### Compulsory Primary Education Bill.

On the 15TH DECEMBER, in introducing the Bill on rural education, the MINISTER of Education said that the first thing that attracted his attention on assuming the duties of Minister was the need for extension of primary education in the rural areas. In spite of the best intention of the Government and public spirited men nothing substantial could be done for the welfare of the villagers owing to their lack of education. Their ignorance stood in the way of the eradication of social evils from their midst. Villagers could not understand the elementary principles of hygiene, of modern methods of agriculture, and of co-operation for the common good, in short, they could not discriminate between what was good and what was bad for them. The sole remedy was the spread of education amongst them. Owing to various reasons, nothing short of compulsion would do so far as the ignorant villagers were concerned. If it were left to their will to send their children to school, several ages would elapse before the average villager could be



deemed sufficiently educated to understand what was conducive to his welfare. He would remain in ignorance to be driven and directed by his fellowmen from the cities.

The element of compulsion in the Bill need frighten no one. Compulsion would be enforced in small selected areas at the outset, and, if it succeeded, its scope would be widened. The Government had brought the Bill before the Council after careful and anxious consideration. The state of primary education in the Province was carefully investigated by Mr. K. P. Kichlu, who was deputed for that purpose. Mr. Kichlu submitted a report and the Bill was based on that excellent report. Further, Kunwar Jagadish Prasad, Education Secretary, and Mr. Mackenzie, Director of Public Instruction, had carefully considered the Bill in all its aspects and in all its clauses. It would go to a Select Committee which would suggest additions and alterations to improve the Bill. The Bill was being discussed when the Council adjourned.

On the 16TH DECEMBER, the debate on the Ministerial motion that the Compulsory Primary Education Bill be referred to a Select Committee, was resumed.

Lala Mathura Prasad MERHOTRA said the curriculum of the primary schools should be so drawn up as to render compulsory education most beneficial to the sons of agriculturists. The children of the soil must be taught how to improve their methods of agriculture and their cottage industries. They must be made to understand the principles of co-operative credit. The Government should not ignore the question of funds. If the District Boards were left alone to finance their own primary schools, they would never take the initiative and apply for the introduction of compulsory education within their jurisdiction. The Government should shoulder the greater portion of the financial burden and render all possible assistance of the District Boards.

Mr. Kunwar Jagadish PRASAD, Education Secretary, said the Government were perfectly alive to the fact that unless the education sought to be spread in the villages was in conformity with the need of the rural population, the Bill, when enacted would be worse than useless. The Government would carefully consider the question of specially trained teachers for employment in rural primary schools. There was no occasion for the Government to insert a taxation clause in the Bill. Under the District Boards Act of 1922 local bodies had been given sufficient powers of taxation and their sources of supply were not yet exhausted.

Rai Rajeswar BALI, Minister of Education, expressed his gratitude for the reception that had been accorded to the Bill from every section of the House. The schools which would come into existence under the Act would be primary schools for boys of ages varying from 6 to 11 years, who could not be expected to understand much of religion or morals. The best thing would be to get the type of teachers that would be able to influence the boys by setting good examples. The Bill was only in its elementary stage now and before its final adoption the Government would certainly take advantage of the valuable suggestions from the different members.

The Minister's speech brought the debate to a close and the Bill was referred to a Select Committee.

#### Government Service and Caste Distinction.

On the 17TH DECEMBER Pandit Brijnandan Prasad MISRA moved: "The Council recommends to the Government to remove all prohibitions of caste with respect to the admission of people to the public services if they are otherwise qualified, and to cancel all orders, regulations or instructions containing such prohibitions, and to order the consequent correction of the departmental manuals and other papers accordingly." At the outset the mover made it clear that he did not intend that any sort of racial bias should enter into the discussion. The motion was restricted to the question of castes belonging to different races and it had nothing to do with any religion. In the Police Department certain castes were debarred from entering some branches of the forces. As an instance of his remark he quoted a paragraph from the Police Manual in which it was put down that Brahmins should seldom be nominated for entry into the mounted police force. In another paragraph of the Police Manual it was stated that enlistments to the armed and civil Police forces from certain low castes should, as far as possible, be avoided and that Kayasthas and Banias should seldom be enrolled. The speaker asked to be informed on what basis and with what motive the Government make those restrictions.

In seconding the resolution, Mr. MUKANDILAL moved the following amendment:—For the words "Remove all prohibitions of caste with respect to the admission of people to the public services if they are otherwise qualified, and to cancel all orders, regulations or instructions containing such prohibitions and to order the consequent correction of departmental manuals and other papers accordingly", substitute the words "issue instruc-

tions to all departmental heads, offices, selection boards and selection committees that they should admit into and select for Government service all persons (otherwise qualified), irrespective of caste, creed, religion and race, and that the Government be pleased to cancel and expunge from the departmental manuals or codes all prohibitions, restrictions, disqualifications, regulations and orders which bar any individual from entering into, competing, or offering himself for any department of Government service. Mr. Mukandilal said that the original resolution and his amendment were both based on the Queen's Proclamation of 1858.

The Maharaja of MAHMUDABAD, Home Member, regretted that he could not accept the resolution on behalf of the Government. The principle underlying the resolution was undoubtedly excellent, but unfortunately there were administrative difficulties in the way. If a chamar were to be enrolled in the police force and be appointed sub-inspector of police, he would not only not be able to discharge his duties properly, but his own life would be made miserable because of caste prejudices. If he were to go to a village, he would not be permitted to enter the house of any high caste man, Hindu or Musalman. Not many men would give him a glass of water to drink if he were thirsty. He would not even be permitted to draw his own water from the village wells. There were certainly restrictions in the Police Manual in regard to the enlistment of the members of criminal tribes and wandering gangs, but those restrictions had to be made, as the Government did not think that habitual lawbreakers were suitable candidates for enlistment to the police force.

After a prolonged discussion Mr. Mukandilal's amendment was put to the vote and rejected, while the original resolution was carried without division.

#### Adult Education.

Khan Bahadur Hafiz Hidayet HUSAIN moved: "This Council recommends to the Government to take steps for the promotion of adult education in the municipal and rural areas of these Provinces at an early date." The mover said the subject had now begun to attract considerable public attention, but he doubted if its scope or significance was fully realised. According to the census report the proportion of literacy per thousand was 24 in 1911, and 37 in 1921. The progress made was insignificant and inadequate. More sustained efforts were needed both by the Government and by the public. There should be a network of night schools, and a portion of the educational grants to the District Boards should be earmarked for this purpose. The mover referred to the Governor's Durbar speech and appealed to every one to aid the Government in educating the Council's "masters"—the voters.

Mr. A. H. MACKENZIE Director of Public Instruction, said that the Education Department had no intention to oppose such a resolution. On the contrary they welcomed it. The Department had already taken the initiative in that direction. As early as 1921 they addressed a certain number of municipal boards in regard to this matter. The Government had first to make some experiments and watch if there was a demand for adult schools. The experiments were confined to six municipal boards only. In those six boards there were at present 80 schools with a total roll of about 2,200 students. Government readily defrayed the entire cost. The experiments had proved sufficiently successful and the Education Department hoped similar schools would be started by more municipalities. But the Government's financial responsibility must have a limit and in future municipal boards would be asked to bear their reasonable share of the cost. The speaker was afraid that the municipal boards would not be much inclined to finance even such an excellent scheme. In the interior of certain districts similar attempts had been made, but only with indifferent success. Failure was due not merely to lack of finance, but because of the difficulty of finding a sufficient number of adult students at one centre and because of the lack of suitable teacher for such institutions.

The resolution was adopted unanimously.

#### Motion for Adjournment.

On the 18TH DECEMBER Babu NEMISARAN wanted to know what action the Government had taken against Mr. T.J.C. Acton, District Magistrate of Bulandshahr, for alleged discourtesy to Pandit Nanakchand, M.L.C. when the latter wanted an interview with him.

The Finance Member replied that the Government had received no complaint from Pandit Nanakchand and therefore did not propose to take any action.

The Finance Member's reply gave rise to a series of supplementary questions and ultimately two members, Pandit Brijnandan Prasad Misra and Babu Vikramjit Singh, gave notice to the President of their intention to move the adjournment of the House in order to

discuss the action of the Government on the conduct of Mr. Acton, the District Magistrate of Bulandshahr.

Rai Bahadur Lala Sita Ram, President of the Council, expressed the view that the adjournment motion was in order and ruled that unless it was disallowed by the Governor, the motion would be taken up that day.

The Council then discussed non-official resolutions.

Pandit Hargovind PANT moved : "This Council recommends to the Government to remove Kumaon from the Scheduled Districts Act and to appoint a committee to revise and to consolidate the local rules with a view to presenting a Bill which serves this purpose for the consideration of the Council." The mover said Kumaon was much in advance of the rest of the United Provinces in the matter of education, and it was a pity that such a division should be classified in the same category as the wild tracts inhabited by half-civilised people like Bhils and Gonds.

Babu Bhagwati Sahai Bedar moved an amendment recommending the appointment of a committee to suggest necessary measures for getting Kumaon removed from the scope of the Scheduled Districts Act. The resolution as amended, was adopted by the Council.

Mr. Aslam SAFI moved for leave to introduce a Bill to amend the United Provinces Municipalities Act of 1925, as amended by Act 2 of 1919. Leave was granted by the Council.

Pandit Nanak Chand was granted leave to introduce a Bill to amend the Allahabad University Act of 1921.

The Council then discussed the following resolution : "This Council recommends to the Government that instructions be issued to the Record Officers that in districts where record operations are going on they should not disturb the existing rights wherever they are corroborated by the last (current) settlement entries.

The Finance Member and the Member of the Board of Revenue opposed the resolution which, after a dull discussion, was adopted by the Council.

#### Adjournment Motion Carried.

The motion for the adjournment of the House, subsequently came up for discussion.

Pandit Brijnandan Prasad MISRA moved : "This House be now adjourned." He narrated at length the incidents that led to the questions put to the Council. Pandit Nanakchand, M. L. O., wanted an interview with Mr. T. J. C. Acton, Collector of Bulandshahr. Mr. Acton refused it and some curt letters were exchanged between the Pandit and the Magistrate. The Pandit took exception to certain remarks of the Magistrate. Babu Vikramjit Singh, in seconding the motion, said that an insult to a member of the Council was an insult to the Council. The Magistrate's letter was discourteous to a degree.

Mr. BURN dealt point by point with the matter. Firstly, there was a grievance because an official had been discourteous to a member of the Council. The Government always disapproved of discourteous behaviour on the part of any of its officials to any visitor, but such instances were admittedly rare. Secondly, the House had made its grievance that the Government took no action. As a matter of fact, the Government took action one month before notice of the question had been received. The Chief Secretary had already addressed a letter to the Commissioner of Meerut Division to convey to Mr. Acton the Governor's disapproval of his action. If the replies to the questions and supplementary questions put to-day were not to the satisfaction of the members, he (the speaker) craved the indulgence of the House. It was unfortunate that Sir Samuel O'Donnell, who was to reply to the questions, had been, by reasons of his health, kept away from the House. The speaker had had no time to prepare himself for the questions.

After the Finance Member's speech, several members requested the mover to withdraw the censure motion. After some discussion, the adjournment motion was put to the House and carried by 31 votes against 20.

#### Development of Rural Area.

On the 19TH DECEMBER Pandit Govind Ballabh PANT, the leader of the Swaraj party moved the following resolution :—

"That this Council recommends to the Government to allot the sum of Rs. 56 lakhs remitted this year by the Government of India out of the Provincial contribution, fixed by the Meston Committee, for rural development, such as the promotion of agriculture, cottage industries, primary and vocational education, improvement of sanitation, water-supply, communications, and housing in villages, etc., to form a development fund, to which the above and all other sums that may hereafter be so remitted be transferred; and

to constitute a Development Board, consisting chiefly of members elected by this Council, with a Secretary or a commissioner appointed by the Board from among the public men, to carry out such development?

In moving the resolution, Pandit Govind Ballabh referred to the condition of the rural population in the United Provinces. Education was in a very backward state in the rural area. Their economic position was worse still. The industrial scope of the people was narrow, and their resources very restricted. Pressure on land was on the increase from day to day, and the transfer of holdings was going on continuously. The different cottage industries that were a source of income to agriculturists had been throttled by Manchester, Tokio, Liverpool, and New York. The Government must tackle more earnestly, more vigorously, the problem of rural re-organisation.

Rai Bahadur Babu Vikramjit SINGH moved an amendment to the effect that for the words "transferred and to constitute a Development Board, consisting chiefly of members elected by this Council, with a Secretary or a Commissioner appointed by the Board from among the public men to carry out such development" be substituted by the words "placed at the disposal of the Hon. Ministers to spend in accordance with the advice of a Development Board, to be constituted of official and non-official members of the Legislative Council, on which there should be a non-official majority, to carry out the above scheme."

The amendment was supported by Thakur Hanuman Singh, Nawab Mahomed Yusuf, Thakur Mashai Singh, Dr. Safaai Ahmed Khan, and Mr. Mukandilal, and accepted by the mover of the resolution.

The Nawab of CHATTARI, Minister of Industries, assured the Council that the Ministers and the Government were trying their level best to develop the rural area in every respect. The Government was aware that there was much that yet remained to be done. He greatly appreciated the anxiety of members to devote more money for the Nation-building Departments, but he feared that the establishment of a Development Board was unsound on principle. There was not much sense in adding a fifth wheel to the carriage of State.

After several other speeches Babu Vikramjit Singh's amendment was put before the Council and adopted. The resolution, as amended, was then carried by the Council.

#### Government's Excise Policy.

On the 21ST DECEMBER, Pandit Govind Ballabh PANT moved. "This Council recommends to the Government that they should declare unequivocally by embodying in the Excise Manual, that the aim and object of the excise policy of Government is total abstinence, which should be promoted by all legitimate means." The mover pointed out that on the 31st March, 1925, a resolution was adopted by the Council asking the Government to accept total abstinence as the aim and object of their excise policy. A similar recommendation was made by the excise conference held early this year.

Mr. BLUNT, Financial and Excise Secretary to the Government, pointed out that the present excise policy of the Government, as stated in paragraph two of the Excise Manual, might be epitomised in the phrase: "the promotion of temperance by all legitimate means". Was there a great difference between this statement and the aim enunciated by the mover in his resolution? During the past few years the force of public opinion among the consuming classes, on the one hand and the restrictions imposed by the Government in pursuance of their policy, on the other hand, caused a striking decrease in consumption. Government doubted whether the absence of any reference to excise revenue in their statement of excise policy would materially improve matters. Further, the Excise Manual was now being revised and would shortly be published in a new form.

After some further discussion the resolution was put to the House which divided before the proposal was negatived by 39 votes to 16.

#### Revenue Commissionerships.

On the 22ND DECEMBER Chaudhury Badan SINGH moved: "This Council recommends to the Government that they should move the Government of India to take necessary steps for the abolition of the Revenue Commissionership in these Provinces."

Rai Sahib Lala Jagdish PRASAD moved an amendment urging upon the Government to make proposals in pursuance of the recommendations of the Commissioners' Committee appointed in 1922 to the Government of India for reduction in the number of Revenue Commissioners.

The amendment was accepted by the House.

The FINANCE MEMBER regretted that the Government could take no action in regard to the reduction in the number of Commissioners until the effect of the new tenancy legislation on the Commissioners' appeals was seen.

The resolution, as amended, was carried by the Council.

#### Representation of Depressed Classes.

On the 23RD DECEMBER, the last day of the December Session, Babu KHEM-CHAND moved : "This Council recommends to the Government to arrange that at least one member from among the depressed classes shall be nominated to each municipality and notified area in the United Provinces of Agra and Oudh with the exception of the municipalities of Agra and Cawnpore, to which two members should be nominated."

In moving the resolution Babu Khemchand pointed out that the depressed classes were represented in all the district boards in the United Provinces. It was only just that those men should have some sort of representation in the administration of municipal areas, where a large number of them resided.

Rai Rajeswar BALI, Minister of Local Self-Government, said the resolution had all his sympathy. As a matter of fact in making the nominations this year he had already acted upon the principle recommended. Wherever it was possible he had nominated one member to a Municipal Board to represent the depressed classes. The Minister, however, regretted his inability to accept the resolution as it stood. The Government could make only two nominations in the Municipal Boards of Agra and Cawnpore and at these two places the Government could not restrict their choice to the depressed classes only.

After some further discussion the resolution was amended by Thakur Manjit Singh Rathore to read as follows :—"This Council recommends to the Government to arrange that at least one member from among the depressed classes shall be nominated to each municipality and as far as possible in the notified areas in the United Provinces.

The resolution, as amended, was adopted by the Council.

Khan Bahadur Manvi FASIHUDDIN moved : "This Council recommends to the Government to issue instructions to all record and settlement officers to the effect that they should not force or ask zamindars to pay for coolies employed by amins for doing survey work, or to supply such coolies at their own expenses.

After a prolonged discussion, the resolution was adopted by the Council.

#### Translation of Science Books.

Pandit Yajna Narayan UPADHYA moved : This Council recommends to the Government to establish a bureau of translation for rendering all useful books in modern sciences and other branches of knowledge into the vernacular, and to provide at least one lakh of rupees every year for this purpose."

Mr. A. H. MACKENZIE, Director of Public Instruction, said he appreciated the intention of the mover. It was not possible for the large majority of men in these Provinces to get a glimpse into the untold wealth of scientific literature, for lack of readable vernacular books on the subject. He could not commit the Education Department in any way but he would not oppose it.

The resolution was adopted by the Council.

#### Retiring Home Member.

At this stage the President of the Council announced to the House that within a fortnight the Maharaja of Mahmudabad was relinquishing charge of the office of Home Member, an office he had held since the inauguration of the Reformed Council. Before taking his seat the President paid a glowing tribute to the services rendered to the Province by the Maharaja as a Member of the Executive Council.

The announcement of the President was followed by valedictory speeches from every quarter of the House.

The Council concluded the last day of its winter session and adjourned till January, 1926.

# Bengal Legislative Council

CALCUTTA—12TH AUGUST 1925.

## The August Session.

The first meeting of the August session of the Bengal Legislative Council was held on the 12th August. Sir Evan Cotton, the President of the Council, presided.

After the new members had taken the oath of allegiance, the President made reference to the death of Sir Stenart Bayley, Mr. C. R. Das, and Sir Surendranath Banerjea.

Referring to Mr. C. R. Das and Sir Surendranath Banerjea Sir Evan Cotton said: "Leaders may be of many kinds, but one attribute which is essential to success as a leader is a magnetic and commanding personality. This quality was possessed in the fullest degree by the two great men whose death we are deploring. Mr. Das had been a member since 1921, and the Council Chamber will seem a very different place without him. To me he always conveyed the picture of a great Roman Senator, and I used to sit and watch with admiration the consummate skill with which he led his party. Of Sir Surendranath, we can truly say that, during his long life of 78 years, he stood for the whole history of politics in Bengal. He had a long tenure of office in the Bengal Council, and was one of the first Ministers under the Reforms Act. The eloquence of these two great men was not alike, but there is not one of us who will not miss the silvery tongue of Sir Surendranath, and the calm compelling voice of Mr. Das.

The only other item was the election of the President. Out of three candidates Kumar Shibsekhareswar Roy secured the largest number of votes.

Next day, the 13TH AUGUST, Kumar Shibsekhareswar Roy, the first elected President of the Bengal Legislative Council presided over the discussions of the Council, his election having been approved by the Governor. After taking his seat, Kumar Shibsekhareswar paid an eloquent tribute to Sir Evan Cotton, the retiring President.

## The Howrah Bridge Bill.

The Legislative business consisted of the reference of the Howrah Bridge Bill to a Select Committee of 24 members, and the introduction and passing of the Bengal Highways Bill.

Mr. T. EMERSON, in moving that the Howrah Bridge Bill be referred to a Select Committee, said that at the August session of 1924 a Select Committee was appointed by the votes of that Council, but, as a result of a subsequent motion that the Bill should be circulated for the purpose of eliciting opinions, the appointment of the Select Committee fell through. It was for that reason that a fresh Committee was proposed to be appointed at that session. The result of the circulation of the Bill for the purpose of eliciting opinions had been to show that the weight of opinion generally was against the expense that would be incurred in constructing a permanent bridge for which purpose that Bill was originally framed. The Bill, however, admitted of modifications in its taxation clauses, so as to provide for a semi-permanent bridge, if such a type was preferred by the Council on account of its smaller cost. Omitting from consideration bridges of the pier and girders type, as they were considered inadvisable on account of the risk to the Fort owing to the possible effect of the piers on the course of the river and its tides, there were three main types of bridge which were considered suitable for their purpose: first, a cantilever bridge, the cost of which would be Rs. 32 lakhs per annum spread over 60 years; second, a turn floating bridge, which would cost with its approaches Rs. 24 lakhs per annum for 40 years; and, thirdly, an improved and wider single floating bridge on the present site, the cost of which was estimated to be Rs. 15 lakhs per annum for 40 years.

Continuing, Mr. Emerson said the finance clause of the Bill provided for raising by taxation the amount required to meet the loan charges for the capital cost of a permanent bridge of the cantilever type as recommended by the Committee of Engineers. If the construction of such a bridge were undertaken, the Government of India would

consent to the taxation specified in clause 8, sub-clauses 3, 4, and 5. If, on the other hand, a bridge of a semi-permanent type were to be constructed, such as a floating bridge, taxation under those sub-clauses would have to be omitted from the Bill. Though adhering to the opinion that the need of Calcutta could be met adequately only by the provisions of a permanent bridge, the Government, in view of the great weight of opinion opposed to the expense that would be involved in its construction, were prepared to accept the Council's decision as to the cost that should be incurred in constructing the new bridge. It would be the duty of the Select Committee to consider all the opinions that have been elicited by the circulation of the Bill, and to give full weight to such opinions in making their recommendations to the Council.

#### Dacca University Bill

Sir Abdur Rahim then introduced a Bill further to amend the Dacca University Bill. There were several amendments, which were being discussed when the Council adjourned.

On the 14TH AUGUST the Dacca University Amendment Bill was passed. Both the amendments moved by Swarajists, one urging the circulation of the Bill, and the other referring it to a Select Committee, were defeated by 15 votes. The Bill aimed at making statutory the provision of Rs. 5 lakhs, which the Council granted for the last five years. The Bill was passed without opposition.

There was a lively discussion on the supplementary demand made by Sir Hugh Stephenson of Rs. 14,000 for expenditure under "Band Establishment of the Governor." Sir Hugh explained that in the last year's Budget, the original demand for this purpose of Rs. 80,000 was reduced to Rs. 34,250. It was impossible to maintain a fine orchestra with that amount. Several amendments refusing the demand were negatived, and the demand was ultimately granted, after which the Council adjourned.

On the 19TH AUGUST the Council carried three resolutions without opposition from the Government.

The first resolution was for a grant of 30 lakhs to the Calcutta University Post Graduate Department. The Government did not oppose it, but wanted time to examine the demand. The resolution passed unanimously.

The second resolution recommended the removal of the sex disqualification from the electoral rolls. This resolution was opposed by some of the Mahomedan and orthodox Hindu members. It was carried by 54 votes against 38.

The third resolution asked the Bengal Government to communicate to the India Government that the Bengal Council were in favour of the transfer of Sylhet to Bengal.

The Government wanted time to ascertain the views of the Assam Government on the subject, but the resolution was carried, unopposed.

#### Removal of Sex-disqualification.

Ladies invaded the public galleries of the Council Hall in anticipation of a lively debate on the question of the enfranchisement of women. Mrs. Sarala Devi Chaudhurani and Miss Ganguly made the women's demonstration inside the Chamber a success, and their presence immensely influenced the votes.

The question was left to be decided by a free vote. The Swaraj Party also adopted the same attitude. Mr. Nurul Huq announced that the Swaraj Party had no mandate on the resolution and that the question was left to a free vote. This announcement caused widespread disappointment among the ladies in the galleries, who had expected the solid votes of the Swarajists in their favour.

Eloquent speeches were made by Dr. Moreno, Mr. F. E. James, Mr. Umesh Chandra Bose, and Dr. Mohini Das and Mr. Nirmal Chandra Chander in favour of the enfranchisement of women.

Dr. MORENO, who moved the motion for removing the sex-disqualification said, Bombay and Madras had enfranchised women. Why should women in Bengal alone be not enfranchised? He could not understand what insurmountable difficulties there were in the way of the enfranchisement of women.

Mr. Ghaznavi, an ex-Minister, opposing the resolution, read a long manuscript speech.

Mr. Umesh Chandra Bose (Swarajist) in a powerful speech supported the resolution.

Mr. F. E. James warned that there was no rational principle in disqualifying a large section of the community from the franchise. It was the fundamental right of women-citizens to participate in legislation. Europeans had no right to oppose the resolution as their women had earned that right.

Dr. Mohini Das, wanted to know how they could refuse to grant women their just rights and at the same time demand Swaraj.

Mr. Nirmal Chandra Chunder said, "You are refusing women the right to serve the country. You ask women to come to the Congress, to come to the Liberal Federation, and to come to the Swarajist meetings. Can you refuse them permission to come to the elections?"

The resolution granting franchise to women was passed by 54, against 38 votes.

#### Swarajists and Ministers' Salaries.

On the 20TH AUGUST the House transacted Government business. Supplementary grants, most of which were not granted by the Council at the last Budget discussion, were presented. A large number of motions for reduction or refusal were proposed in respect of a demand of Rs. 3,82,985 for Education. There were altogether 12 demands for the grant, and most of them were carried without serious opposition. In 10 demands, excepting grants under Police and Education, there were 124 motions for either refusal or reduction, but only eight were moved.

The President announced that the Governor was not prepared to grant an extra day for non-official business alone, but as an extra day was required for Government business he allotted Friday the 21st for that purpose, and at the end of the Government business non-official business would as a special concession be taken.

Taking advantage of this announcement the Swarajist party, who were responsible for most of the amendments, decided to endeavour to finish the official business on this day, so that no non-official business could come before this session of the Council, and the resolution granting salaries to the four Ministers for their actual period of work would be left unmoved. At the end of the business, however, the President announced that the Governor would allow the Council to meet next day for the transaction of non-official business.

The Council, without a division, granted a total sum of Rs. 11,51,763 as supplementary grants. In this session the total supplementary grants agreed to amounted to Rs. 12,83,635.

On the 21ST AUGUST three non-official resolutions were discussed and the Government opposed all of them.

The first resolution demanded the appointment of a Committee to revise the Bengal Local Self-Government Act and the Bengal Village Self-Government Act. It was carried.

The second resolution, moved by Mr. F. E. James and supported by Mr. J. Campbell Forester, urged the exemption of theatres and cinemas from liability to pay the Amusements Tax. The Government opposed the motion on the ground of financial loss. The resolution was supported by Swarajists and carried by 65 votes against 27.

#### Motion for Production of imprisoned M.L.C.s.

The third resolution urged that Babu Anil Baran Ray and Babu Satyendra Chandra Mitra, two Bengal Ordinance prisoners, who have been returned to the Council from the Bankura and Noakhali constituencies, respectively, be brought up for taking the oath of allegiance, at the next session of the Bengal Legislative Council.

The Deputy President, Mr. H. S. Suhrawardy, in supporting the resolution said :—

"I do not know from which point of view I could best support it. But I feel I would have ample grounds for doing so from any reasonable point of view. Firstly, I would do so because we know that there is absolutely no justification for their incarceration. They were the heart and soul, the spirit and fire of the Swaraj Movement. Justification there was because their presence inspired and their self-sacrifice enthused, but of the charges that have been levelled against them, they are absolutely innocent. I know that our voice and our testimony, nay the voice and testimony of the great tribune of the people, is as naught, compared with the inspired reports of the lowest spy, but I do hereby give my testimony and I speak for all others who knew them, that they were blameless of the infamous charges on which they were arrested. Secondly, I would support the resolution on all the rational grounds advanced so ably by Mr. S. C. Basu. If you have given them the right to stand, the right to be elected, you must give them the right to attend. Thirdly, I would support the resolution because I want to see them. When the figure of Satyendranath Mitra rises before me, so gentle, so kind, and yet, so brave, I feel a fierce indignation at the injustice that has condemned him to a felon's cell. I want to see them, to clasp them by the hand. I want to congratulate them. On the glory of martyrdom they have attained. I want to be inspired by their presence if it is in me to be inspired. I know the Government is afraid of demonstration. The whole of Bengal will flock to pay its homage to its leaders, who have suffered for its sake and we shall pay to them the homage of a suffering people for its suffering heroes."

The resolution was declared carried. Maulvi Nurul Haq Choudhary demanded a division which was granted, 54 members voted for the motion and 24 against it.

The Council was then prorogued.



## The December Session

### Bengal Tenancy Amendment Bill.

The cold weather session of the Bengal Legislative Council met on the **3RD DECEMBER**. Kumar Shibekbhareswar Roy, President, took the chair.

After withdrawing the Bengal Local Self-Government Bill, the Maharaja of NADIA introduced the Bengal Tenancy Act Amendment Bill. He said that details relating to the advantages to be derived by tenants including rights to trees, greater facility for the payment of rent, abolition of the harassing system of the realisations of rent by distraint, the commutation of produce rent, also the advantages relating to landlords namely, facilities for the realisation of rent, and other matters were dealt with in the statement of objects and reasons. The position of the Government was that they had accepted the necessity of a change in the law relating to certain matters affecting the relations of landlords and tenants. They thought that the proposals made by the Committee which considered those relations were an honest attempt to solve the difficult problem. The Bill was referred to a select committee.

On the **4TH DECEMBER** Government sustained three consecutive defeats without much discussion.

The Maharaja of Nadia asked leave to introduce the Bengal Municipal Bill, but leave was denied, 36 voting for and 60 against.

The Council next passed the Food Adulteration Bill, validating the grant by the Chairman of the Municipality of sanction to prosecute.

Sir Hugh Stephenson moved a resolution asking the Government of India to abstain from taking measures for the inclusion of Sylhet in the Bengal Presidency on financial grounds. The resolution was negatived by 64 votes against 46.

Mr. J. Donald moved a resolution urging the Government to contribute towards the cost of the Bally Railway. He said that this scheme of a bridge over the Hughli River near Bally was sanctioned ten years ago but was not executed owing to the War. The people of Bally wanted the provision of roadways for ordinary traffic, and to meet this cost he was asking the Government to contribute. This bridge had nothing to do with the Howrah Bridge. This motion was also negatived, 41 voting for and 62 against it.

### Treatment of Political Detenues.

On the **8TH DECEMBER** the Government was defeated by eight votes in a motion for the adjournment of the House.

Mr. J. N. SEN GUPTA, leader of the Swaraj Party, moved the adjournment to discuss the recent treatment of political prisoners, as evidenced by the transfer on the 22nd November last of political prisoners Jogesh Chunder Ghose, Samarendra Sen and Santosh Kumar Dutt from Berhampore jail to Hazaribagh jail without proper clothing or without giving them any notice to make provision for their journey. On the night of the 22nd November those prisoners received a chit from the Jail Superintendent that they were wanted in the office. At that time they had no clothes on the upper part of the body as they were taking exercise. They were compelled to undertake the journey that evening without any warm clothes. He questioned whether the Ordinance was being administered in the spirit and according to the letter of the law. Was there any justification for not allowing those prisoners to get their clothes from their cells? It could only be justified if there was a desire to ruin their health, so that when they came out they would not be able to allow the ordinary avocations of life.

Sir Hugh STEPHENSON, replying, said there had always been considerable difficulty in dealing with detenues at Berhampore. In the last few months the state of indiscipline had been particularly bad, and the jail officers had been threatened with assault. The Government issued orders for the transfer of four detenues and asked the Police Superintendent to see orders served on the four offenders. In view of the attitude of the detenues and previous incidents, it was considered advisable to arrange for transfer without warning the detenues. The Assistant Police Superintendent went to the jail at six in the evening to serve orders on the four detenues. He was informed that one was unable to travel. The other three came to the jail gate and were told that they were transferred to Hazaribagh and they would have to go that night. The detenues declined to receive orders, on the ground that they had no warm clothes. At that time the detenues had warm coats, woollen shirts, woollen socks, rugs and sweaters and the Civil Surgeon, who was the Jail Superintendent, certified that the warm clothes they had were ample for the journey.

The Jail Superintendent then sent the warders to the detainees' cells to collect their clothing, but they were not allowed to do so and were abused. Other detainees by that time crowded in the yard opposite the gate and shouted instructions to the three detainees to resist to the end and throw off all their clothing. They had on their bodies warm shirts and chudders which they passed through the window to the other detainees in the yard. They were then only clothed in dhoties. The Police Superintendent then sent for four hospital blankets and four sheets for each of the detainees. They refused to eat any food, and the police had to lift them into the carriage. The same performance was repeated at Berhampore station, and they had to be lifted out of the carriage and put in a reserved compartment. There was no justification for regarding that incident as a piece of unwarrantable *zoolum* on the part of Government or the police.

The motion was discussed for two hours, the European and some Mahomedan members supporting the Government, the Swarajists and Nationalists supporting the motion.

The motion was passed by 58 votes to 50.

#### Ministers' Salaries Granted

On the 10TH DECEMBER Mr. P. N. GUHA moved that salaries for the actual period of work be given to all the four Ministers who were appointed by His Excellency, and who had to resign owing to the total refusal of their salaries by the Council.

The statement made by Mr. J. M. SEN GUPTA, giving reasons for not voting against the resolution, moved in the Council, for salaries to the four Ministers for the actual period they had worked, was not sympathetically received by the Nationalists, who had, on three previous occasions, voted with the Swarajists in opposing similar resolutions.

Mr. J. M. Sen Gupta explained the position of the Swaraj Party. He said when the party voted against the Ministers' salaries and threw them out, on three occasions, during the lifetime of the present Council, they made it perfectly clear that they were not actuated by personal considerations. The votes were against Dyarchy. He desired to repeat that whether it be Manvi A. K. Fazlul Huq, Mr. Surendranath Mullick, Mr. A. K. Ghuznavi or the Raja of Santosh, they were not prepared to support them as Ministers, be they Hindus or Mahomedans. They were not prepared to support the Dyarchical form of Government, with Ministers and Executive Councillors, the former being merely tools in the hands of the latter. The issue before them was not to be confounded with the issue of the continuance of Dyarchy. The two issues were distinct and separate. He wished to make it perfectly clear that, if any demand for Ministers' salaries was brought forward, for carrying on the present dyarchical system of Government, they would oppose it, whatever the constitution of the Ministry might be. On this resolution for payment of back salaries, as the party had no personal bias, or vindictiveness, against the gentlemen concerned they would vote for it. Their fight was against dyarchy, continued Mr. Sen Gupta, and until the constitution of the Government was so altered as to be acceptable to the people of India, their representatives would refuse to accept or work it; but they were not willing to act in any way which might be construed as an act against particular individuals.

The position, concluded Mr. Sen Gupta, had been made perfectly clear by the mover of the resolution, who admitted that the Ministers were wrong constitutionally, in continuing in office even after their salaries were refused. The position that the Swaraj Party took up should be no encouragement to the Government to appoint Ministers, who had no majority in the House and whose salaries were bound to be rejected, in the hope that, after they had worked as Ministers the House would be lenient and pass their salaries later on.

#### Nationalist opposition.

Mr. Manmatha Nath RAY (Nationalist) did not see how having voted against dyarchy, they could vote for the pay of the principal actors brought into existence by dyarchy.

Mr. Akhil Chunder DATTA (Nationalist) said the present motion had not raised any fresh issue. There was no justification for setting aside their previous decision. There was no use disguising the fact that, both personal and communal considerations had clouded the real issue. To say that the Ministers' salaries were refused out of communal bias was a perversion of truth. It had been stated that reason dictated their voting against the motion, but sympathy and sentiment impelled otherwise. As representatives of the people it was not open to them to be charitable at the cost of the taxpayer. If they did so, the speaker warned his friends, the people would bring a charge of breach of trust at their door. They were opposed to dyarchy and the Ministers

who worked for dyarchy. By paying the Ministers' salaries for a certain period they would become a part of dyarchy, so far as that period was concerned.

Mr. Bejoy Kristo BOSE, Swarajist, said that he opposed the resolution on principle, but in obedience to party discipline he could not vote against it. He would be failing in his duty if he did not point the hollowness of the motion. One of the Ministers for whom their sympathy was wanted had last year said he would work without salary.

Two of the ex-Ministers, the Raja of Santosh and Nawab Nawabali Chowdhury, refused to accept the salaries. The resolution was carried.

On the 12TH DECEMBER, the last day of the December Session, Mr. Dand moved a resolution urging the Government to take early steps to move the proper authorities to amend Rule III of the Bengal Electoral Rules, with a view to remove the present disability of the labouring classes to send their own elected representatives by granting special electoral franchise to them. The resolution was carried.

#### Criminal Law Amendment Act.

Rai Harendranath CHAUDHURI (Nationalist) moved that immediate steps be taken to repeal the Bengal Criminal Law Amendment Act of 1925. He gave the following reasons in support of his motion :—

- (1) It was a barbarous legislation, unknown in any civilised and self-governing country.
- (2) It was an emergency measure, but at present no emergency existed.
- (3) The Act had become an engine of oppression.
- (4) It was a measure to terrorise all people who were not in the good books of the all-powerful Police, controlled by an irresponsible executive.
- (5) Prisoners under this Act served long terms of imprisonment without trial.
- (6) The Act had utterly failed to achieve its purpose.
- (7) In January last, Sir Alexander Muddiman had said that it would be kept only so long as public interest demanded and not a day longer.

Mr. J. M. SEN GUPTA said that the Government adopted the measure without tackling the root cause of discontent, which was the desire for freedom. In attempting to stop that desire, the Government was following the Government of Russia and the British Government in Ireland, and he predicted that the same fate would overtake the India Government. As regards the administration of the Act, Mr. Sen Gupta said that in January last, Mr. Satyendranath Mitter, a member of the Legislative Council and Mr. Subash Chandra Bose, Chief Executive Officer of the Calcutta Corporation who had been arrested under the Act, were transferred from Berhampore to Mandalay Jail. They were brought down to Calcutta on their way, and detained one night in the dirty Police lock-up meant for drunkards and loafers. That was certainly not justified under the Act.

In Mr. Sen Gupta's opinion, the reasons why they and other prisoners were kept in an unhealthy place at Mandalay was that they should contract diseases. Some of them were suffering from insomnia, diabetes and other disease. The Jail Superintendent behaved in such a manner that there was hunger-strike. Mr. Sen Gupta knew that his was a cry in the wilderness, but he warned the authorities that they would not be able to stop the people from gaining their freedom. The Government would go the way of the British administration in Ireland, if they opposed the onward march of the people.

Sir Hugh STEPHENSON, in reply, said that, in spite of the tortures and inhumanities in jail, the detainees preferred jail to Bengal villages. He said the Government had no intention to stop the desire for freedom by force. The Government only said it was a mistaken method to try to attain freedom by terrorism. The reason why the detainees were transferred to Mandalay was that it was desirable that there should be complete isolation. The Government had, in their possession, proofs of communication between the prisoners inside the jail and terrorists. Since the Act was passed 15 arrests had been made under it. The reason for detaining the prisoners was that the conspiracy still existed. There still existed a party intent upon violence. If the Act were repealed, there was every reason to believe that the main conspiracy would swing back to the cult of terrorism.

The resolution was carried, 55 voting for and 35 against.

The Council adjourned *sine die*.

# B. & O. Legislative Council

## Budget for 1925 — 1926.

The Bihar and Orissa Legislative Council met at Patna on the 15TH FEBRUARY 1925 when the Hon. Mr. Sachchidananda Sinha (Finance Member), in introducing the Budget, said :—

The estimates for the current financial year, as passed last March, anticipated an opening balance of Rs. 1,69,68,000, including Rs. 32,39,000 in the Famine Insurance Fund, which we can only draw upon for actual relief operations, protective irrigation works, or other works for the prevention of famine, or the grant of loans to agriculturists under the Agriculturists Loans Act or for relief purposes. The remainder Rs. 1,37,29,000 represented the balance which could be utilised, if necessary, for more general purposes. When the accounts for 1923-24, were closed the actual opening balance for the year now current proved to be Rs. 6,25,000 in excess of the estimate or Rs. 1,75,93,000 in all. According to the latest figures available on revised estimates show a revenue of of Rs. 5,31,48,000, or a shortage of Rs. 2,94,000, and under the head of expenditure from revenue an increase of Rs. 6,09,000; while our total receipts are Rs. 2,93,000 in excess, and our total expenditure is Rs. 12,55,000 in excess. The net result is that, after allowing for the increase, to which I have already referred over our budgeted opening balance, our closing balance is expected to be Rs. 1,85,81,000 or Rs. 3,37,000 below the estimate.

The total closing balance, now estimated at Rs. 1,85,81,000 includes, Rs. 39,89,000 of Famine Insurance Fund money, leaving an ordinary balance of Rs. 1,45,92,000. Our estimates for the coming year assume a revenue of Rs. 5,43,88,000 and total receipts of Rs. 5,71,49,000. On the expenditure side, exclusive of new schemes, the expenditure charged to revenue is Rs. 5,20,98,000 and the capital expenditure Rs. 18,08,000 or a total expenditure of Rs. 5,39,06,000, leaving a surplus of Rs. 32,43,000. Of this latter amount, however, Rs. 14,99,000 appertains to the Famine Insurance Fund, and the net surplus, therefore, available for general expenditure is thus reduced to Rs. 17,53,000.

### New Schemes.

I now turn to the provision for new schemes in the budget. It is impossible to propose at present any reduction of taxation, which, if carried out, would seriously affect for the worse the nation-building departments. On the contrary, in future years, if local bodies do not raise their own taxation for development purposes, and the present tendency continues of expecting Government to bear all the burden of expansion, we shall obviously either have to call a halt or seek after new sources of revenue. Now our ordinary balance is estimated at Rs. 1,45,92,000 at the end of the current year. At the beginning of this year it was Rs. 1,48,33,000 and at the beginning of 1922-23 it stood at Rs. 84,77,000. Thus, by a conservative policy of husbanding our resources, we have raised that balance by Rs. 61,15,000 in three years. In the circumstances, we felt fully justified in taking the view that there was now no good reasons for striving deliberately after further accumulations at the expense of postponing indefinitely a number of sound schemes for the benefit of the tax-payer. We accordingly obtained the approval of the Government of India to draw, if necessary, on our total balance to the extent of Rs. 30,10,000 which means Rs. 15 lakhs from our ordinary balance, so that we may be able to spend this amount on useful projects. Adding this Rs. 45 lakhs from the ordinary balance, the total amount available for new schemes in the budget amounts to Rs. 52,53,000—a truly large amount of more than half a crore. This sum has been distributed between the Reserved and the Transferred sides (excluding Angul) as follows :—

	Recurring	Non-recurring	Total
Reserved	99,000	6,03,000	7,02,000
Transferred	13,48,000	31,27,000	44,75,000

A sum of Rs. 3,09,000 goes to the police of which Rs. 2,01,000 is for buildings for housing the force better and Rs. 74,000 is to supplement the stores of clothing. We have provided a further recurring grant of Rs. 5 half lakhs for primary education and Rs. one and half lakhs non-recurring, towards buildings for primary schools; also Rs. 5,30,000 for land acquisition for the long deferred University project. Under Medical, the non-recurring grant of Rs. 3 lakhs for building new dispensaries has been raised to Rs. 4 lakhs, and the recurring grant for medical relief from Rs. 2 lakhs to Rs. 3 lakhs. Under Public Health we have for the next year made a special addition of Rs. 3 half lakhs to the annual grant of Rs. 45,000 for rural water supply in order to enable a determined attempt to get ahead with this very necessary and beneficial reform. Under Industries we have provided Rs. 85,000 for a demonstration match factory at Patna and a generous sum of Rs. 5 lakhs for loans under the State Aid to Industries Act. Under Civil Works we have included two items of Rs. 40,000 each towards two much needed bridges over the Bhargovi and Burabalang rivers in the Puri and Balasore districts, respectively.

After the Finance Member's statement the different heads of the Budget were introduced by members in charge of departments.

#### Bettiah Court of Wards.

On the 18TH FEBRUARY, discussion was resumed of the non-official resolution that a Committee be constituted to enquire into the working of the Court of Wards, Bettiah Estate, with special reference to the strained relation between the Court of Wards and the Bettiah Municipality. His Excellency Sir Henry Wheeler was present in the distinguished Visitors' Gallery for part of the proceedings.

Mr. Hari Shanker Sinha supported the resolution.

Mr. Morrison opposed the resolution on the ground that no case had been made out for the appointment of a Committee of Enquiry and it was not the proper remedy to apply in this connection.

Mr. Foley in his speech dealt with each specific allegation and said that the blame attached to the management of the Bettiah Court of Wards.

Khan Bahadur Nawabzada Ashrafuddin Ahmed opposed the resolution observing that it was not the function of the Legislative Council to interfere with executive administration and the proper remedy for the injuries alleged to have been done to some Congress workers and Municipal Commissioners was to go to the law courts and demand redress of their alleged grievances. He concluded "Here is a sad spectacle of Swarajist municipality giving evidence of a spirit of intolerance which is so much opposed to their lofty notions and ideas of democratic government."

Mr. Sri Narayan Sahay supporting the resolution, observed that the right of the Legislative Council to enquire into the conduct of a subordinate officer was unquestioned and he urged the necessity of an enquiry.

Mr. Madan opposed the resolution on constitutional grounds and said that it was not right to be guided by irresponsible allegations made by two or three members of the Council.

Mr. Hammond, Chief Secretary, said that the debate had at least served the useful purpose of presenting before them an illuminating example of what a Swarajist Council would be in the days when Swaraj government came. He then dealt with each specific allegation made against the management of the Bettiah Court of Wards and showed that they were entirely untrue and unfounded. As to the mover's remark that Mr. Gandhi was a very shrewd man, the Chief Secretary said that he agreed with him. He had had the pleasure of working with Mr. Gandhi. He had come under his influence, he had realised his magnetism and his unselfishness, and in one matter he was utterly at one with him. He was all for charkha spinning. They had a proverb in England which said: "Satan finds some mischief still for idle hands to do" and Mr. Gandhi thought that if the men who followed him were not occupied in spinnings they would get into mischief. The speaker continued: "So let them turn to charkha, let them make as much khaddar as they can and sell it as cheaply as they can, but do not let them come into these Councils and spin their foolish and ridiculous yarns, which they do not believe themselves and which they know the Council will not believe." (Cheers)

Sir Hugh McPherson then replied on the debate and refuted certain mis-statements and allegations made against the management of the Court of Wards, Bettiah. He reiterated that the Council was not concerned with details of administration. In conclusion he hoped that the Municipal Commissioners of Bettiah would show a change of heart and work in harmony with the management of the Court of Wards in carrying out projects of public utility.

The resolution was rejected by the Council by 44 votes to 24.

## The August Session.

At the meeting of the Bihar and Orissa Legislative Council at Ranchi on the 19TH AUGUST the only item of business before the House was the election of the President.

Rai Bahadur Jyotish Chandra Bhattacharjee (nominated member representing the domiciled Bengali community) having withdrawn his candidature there were only two candidates, Khan Bahadur Khwaja Mahomed Noor and Rai Bahadur Dwarka Nath. Khan Bahadur Khwaja Mahomed Noor secured 53 votes, while Rai Bahadur Dwarka Nath secured only 28 votes.

On the 20TH AUGUST Khan Bahadur Khwaja Mahomed Noor presided over the meeting of the Council, his election having been approved by the Governor.

The President then announced the formation of a panel of chairmen for the current session consisting of Mr. Sri Naran Sahay, Babu Ram Narayan Misra, Mr. F. E. L. Morrison and Rai Bahadur P. C. Lall Choudhry.

### Supplementary Grants.

Mr. B. A. Collins moved that a supplementary grant of Rs. 5,000 under Education (Reserved) for a secondary direct grant to non-Government European and Anglo-Indian schools, non-recurring, be assented to. The grant is the Government contribution towards the electric installation of St. Joseph's Convent School, Bankipur.

Babu Krishna Ballabh Sahay (Swarajist) opposed the motion on the ground that it would mean preferential treatment to Anglo-Indian boys.

Sir Hugh McPherson refuted the assertion and said the Government was prepared to provide electric installation to Indian educational institutions by meeting two-thirds of the cost of any such scheme that might be proposed after they had examined it.

The motion was agreed to.

Mr. Collins then presented another supplementary grant of Rs. 74,165 under Civil Works (Transferred) for the acquisition of a factory for the establishment of an agricultural farm. The site would be more conveniently situated than the Sepaya farm and the land and buildings could be purchased for the amount of the grant. It was proposed to put forward a scheme for a buffalo breeding farm on the Sepaya site.

Babu Jaleswar Parsad opposed the motion and stated that the Sepaya farm could adequately serve their purposes.

The motion was ultimately rejected by 54 to 20 votes. Other motions were agreed to and the Council adjourned till next day.

On the 21ST AUGUST, the Council re-assembling, after interpellations the remaining eight motions for supplementary demands for grants were brought forward, and carried without opposition.

Legislative business consisted of the Bihar and Orissa Mining Settlements (Amendment) Bill, 1925, and the Chota Nagpur Rural Police (Amendment) Bill, 1925.

### B. & O. Mining Settlements (Amend.) Bill.

The Hon. Ganesh Dutta Singh, introducing the first-named Bill, said that it proposed to amend the Mining Settlements Act in order to provide that the Jharla Mines Board of Health could keep the balances of its fund in any bank or branch bank used as a Government treasury. The motion was adopted.

### Chota-Nagpur Rural Police Amend. Bill.

Sir Hugh McPherson, introducing the Chota Nagpur Rural Police (amendment) Bill, 1925, said the Bill referred to the problem of dealing with crime in the coalfields. The mining area had become a happy hunting ground for criminals, and it had long been plain that the ancient watch and ward system of rural India was here an anachronism. The remedy proposed in the Bill was to substitute for the existing chaukidars a constabulary force which would be disciplined under the Police Act, and to levy from the collieries concerned a contribution towards the extra cost, more or less equal to the amount which might be levied under the present Chota Nagpur Police Act. The remainder of the cost would be provided from the public revenues.

The member representing the Indian Mining Federation raised several points regarding the measure, and the Government expressed its willingness to refer the Bill to a select committee.

Mr. D. M. Madan (representing the industrial interests) opposed the measure, stating that it was most inopportune to levy a tax at the present time on the coal industry.

The amendment for reference of the Bill to a select committee was finally carried without a division.

### Supplementary Grants Refused.

On the 25TH AUGUST four amendments to the Standing Orders of the Bihar and Orissa Legislative Council were moved and referred to a Select Committee of the House to be formed later, and two supplementary demands for grants were discussed. Both were token demands, one for the construction of quarters for members of the Legislative Council at Ranchi (Doranda) and the other for the construction of a residence for the Chief-Secretary at Ranchi.

These demands were brought forward by the Government to meet the demand for the proper accommodation of members of Legislative Council, as in the previous years the quarters proved insufficient for the purpose.

Sir Hugh McPherson, in asking the House to accept these demands, observed that the general conclusion arrived at by the Housing Committee, which met the day before was that they should build one set of quarters of a superior bungalow pattern at Ranchi. The present Chief Secretary's House should also be taken over and utilised, partly for the residence of the President of the Council and partly for a hostel or common room for members; also two blocks of quarters should be built for members, one on the lines of the existing B type quarters and others of the dak-bungalow type on the site on which the present Chief Secretary's House stood, and which was very near the Secretariat. This would involve the construction of a new house for the Chief Secretary, which it was proposed to build at Ranchi.

The motion for a supplementary grant for the construction of quarters for members of the Council was rejected, as also the second token demand for the construction of a residence for the Chief Secretary.

### Irrigation Facilities.

On the 27TH AUGUST the Council reassembled to discuss non-official resolutions which were purely of local interest.

Kumar Rajivaranjan Prasad Sinha moved a resolution urging the construction of an irrigation canal from some suitable river in the Bhabua sub-division in the district of Shahabad.

The Hon. Mr. S. Sinha, for the Government, stated that a scheme for irrigation facilities to that part had been under the consideration of the Government for sometime past. The cost of a tentative scheme regarding a reservoir in that area was estimated at about Rs. 21 lakhs. If it were possible a provision for it would be made in the next Budget.

The resolution was ultimately adopted by the Council.

Another resolution asking for the introduction of legislation with a view to requiring the previous approval of the Council to a revision of canal water rates was carried in spite of Government opposition.

### Land Rent in Orissa.

Mr. Jagabandhu Sinha moved that the rent on certain lands in Orissa be not enhanced. The mover said that the paying capacity of the tax-payer was not taken into account by the Government in adjusting rents.

Sir Hugh McPherson for the Government in opposing the motion said that Oriya ryots had been sympathetically treated by the Government and the assessments imposed were very moderate. There was no part of the Province on which the Government had spent more for improving agriculture than Orissa. The resolution was ultimately negatived.

Another resolution for appointing Hindi and Urdu reporters to record the Vernacular debates of the Council was carried.

AUGUST 28TH was the last day of the autumn session of the Bihar and Orissa Legislative Council.

In view of the sympathetic reply of the Government Mr. Mabarak Ali withdrew his resolution regarding closing of public offices, courts and educational institutions for three successive days after the 29th of Ramzan (fasting month.)

Another resolution moved by Mr. Rameshwar Prashad Singh demanding the representation of the Legislative Council and local bodies on the Text Book Committee for Primary and Secondary Education was adopted without a division.

This completed the business of the session and the Council was prorogued.

# C. P. Legislative Council

## Governor's Opening Speech.

Sir Montagu Butler, addressing the Central Provinces Legislative Council on the 3RD AUGUST said that when he last addressed them he appealed to the Councillors for their co-operation, particularly in the direction of financing nation-building projects. The Council, said His Excellency, met him more than half way by voting the greater part of the demands, and he recognised that a loaf was better than no bread, and that three-quarters was better still. His Excellency expressed his thanks in person, and said that his Government appreciated this change of attitude.

After paying a tribute to the officers of His Government Sir Montagu narrated the steps taken by him after the last Council session. His Government withdrew the special instructions to the District Officers to take active steps to explain the action of the Council in refusing to vote supplies. As regards the holding of District Durbars, His Excellency assured them that he would not delegate this duty to any subordinate officer.

After explaining the further steps taken by the Government to meet the wishes of the Council, Sir Montagu Butler said: "I had hoped when the last session ended to lay before you once more a demand for the Ministers' salaries, and I continued strong in this hope until recent events changed, for the time being, the political atmosphere. From the statements made publicly by the responsible leaders of the dominant party amongst you as reported in the Press it has been made to appear that their present policy is to harness the political future of this Province to Bengal. Whether this is so or not, and whether, if it is so, the policy is a wise one in the interests of this Province, I am not concerned to argue. It is for you yourselves to judge whether our Province has had so much political education in the past as to be able to afford to neglect the present opportunity for gaining political experience. My duty is to face the present situation. Obviously, if you do not want yourselves to administer the wide range of subjects included under the Transferred head, it is idle for me to ask you to vote salaries for the Ministers of your own choosing to hold the portfolios. At the same time, I wish to make it clear that the decision is yours, and not mine, and that the responsibility for the retardation of the political progress of the Province is with you, and not me or my Government. We have settled, therefore, to come to no decision on the question of presenting a demand for the Ministers' salaries until you have had a chance of consulting together and formulating final opinions. We are ready, nay anxious, to see you take up your responsibilities, and will put forward a demand for salaries next Saturday, or some subsequent day in this session, provided we get a lead from you. To this I propose to invite the leaders of the dominant party amongst you to confer with me during the next few days in order to hear from them at first hand what are their wishes."

Late Mr. C. R. Das.

After the Governor's address Mr. Tambe, the President, made a reference to the death of Mr. C. R. Das and was followed by Dr. Moonje, Swarajist leader, Mr. S. M. Chitnavis, Liberal leader, and Sir Bertram Standen on behalf of the Government. The Council then proceeded with the interpellations, of which there were 274.

Sir Bertram Standen next moved that in view of the remission by the Government of India of Rs. 9 lakhs out of the Provincial contribution some specified appropriations be made and that supplementary demands be presented for the sums which can be spent on the specified objects in the current year. Excepting Rs. 25,000 for the construction and improvement of forest road, the rest of the amount will be spent on the Transferred Departments, such as education and medical relief. Over Rs. 4 half lakhs have been specified for the promotion of education out of which Rs. 65,000 will be given to the University Library and Rs. 1,50,000 to the Science College hostel and Rs. 1 half lakhs for three high schools in Berar, at Buldana, Morsi and Basim.

On the 5TH AUGUST only one important resolution was passed that an Advisory Board be constituted to advise the Government in the selection of Honorary Magistrates. On the 6th August 29 resolutions were on the paper, but so little interest was taken in the proceedings that no less than 17 movers were absent and the majority of motions were withdrawn at once after a short explanation from the Government. Two were passed, one relating to an increase of the pay of Assistant Medical Officers and the other recommending an irrigation survey of Berar.



## No Demand for Ministers.

On the 7TH AUGUST Sir Bertram Standen, Revenue Member, announced that in pursuance of the undertaking given in his address to the Council on the 3rd August, the Governor invited Dr. Moonje, Mr. Raghavendra Rao and Mr. B. G. Khaparde to confer with him. The meetings took place on the 5th and 6th August. Dr. Moonje and Mr. Raghavendra Rao were unwilling to accept office and Mr. B. G. Khaparde represented that the Berar section were not unwilling to accept, but did not think that a stable Ministry would result and so declined. In the circumstances no demand will be presented to-morrow for salaries for Ministers.

Mr. Raghavendra Rao, Swarajist, moved for leave to introduce a Bill to amend the Municipalities Act, the object of which is to disqualify Honorary Magistrates from standing for election, selection or nomination as members of a Municipal Committee. Another clause is intended to extend the disqualifying period of imprisonment from six months to five years.

Sir M. V. Joshi, Home Member, opposed the Bill and pointed out that the dominant party in the Council aimed by means of this Bill to keep out men who were inconvenient and embarrassing to them in their elections. He wanted specific instances of Honorary Magistrates who had unduly influenced or otherwise interfered with elections before disqualifying and disfranchising them.

On the 8TH AUGUST after interpellations the President referred to the unexpected death of Sir Surendra Nath Banerjee. Sir Bertram Standen, Mr. P. E. Raghavendra Rao and Mr. S. M. Chitnavis associated themselves with an expression of grief and mentioned in brief the achievements of the departed leader. Then the resolutions moved by Sir Bertram Standen regarding the appropriation of 9 lakhs regarding certain specific purpose was accepted.

Mr. Kolhe moved an amendment that the provision for an extension of the central Museum at Nagpur be omitted. Sir Bertram opposed the amendment on the ground that money was required for good purpose. Mr. S. M. Chitnavis assured the house that the money was needed. The amendment was put to vote and lost by 12 votes against 34 votes.

An amendment stood in the name of Mr. D. K. H. Kane that instead of a grant for the University Library of Rs. 65,000 the amount should be given for the introduction of compulsory primary education. This was withdrawn. The grant was voted.

Mr. G. S. Gupta moved and Mr. Thakur Chhedilal seconded that grant of Rs. 150,000 to the Science Collage Hostel, Nagpur be reduced by Rs. 75,008. Mr. R. H. Backett on behalf of the Government opposed the motion on the ground that it was proposed to make it an entire and self-contained college which would leave pressure on the Morris Hialop Colleges. The amendment was put to vote and lost. Another amendment of Mr. R. H. Backett to increase the grant from 1 and a half lakhs to Rs. 1,64,000 was put to vote and declared lost. The sum of Rs. 50,000 for the aided Anglo-Vernacular School in Berar and Rs. 40,000 for manual training in Berar were voted. Mr. G. S. Gupta proposed that the sum of Rs. 50,000 be added to appropriation of Rs. 1,50,000 proposed for three High Schools in Berar. Mr. K. P. Pande opposed the grant and referred to the injustice of the Sims Committee report which deprived the people of the Central Provinces of several advantages. After some more speeches in which there was good deal of wrangling between claims of Berar and Central Provinces, the appropriation was put to vote and declared carried.

The Council next discussed other supplementary grants covered by appropriation. There were 29 amendments to the resolution regarding the allocation of 9 lakhs remitted by the Government of India but ultimately after protracted and uninteresting discussion lasting for 5 hours the House voted for all demands including extra demand of Rs. 50,000 for one high school at Drug. Another demand of Rs. 4,50,000 to be given to Nagpur Municipality as loan for improvement of water distribution system and extension of sewage farm was also passed without opposition. The Council next voted Rs. 2,60,000 under the head civil works transferred.

At the close of the proceedings the president referred with regret the impending retirement of Sir Bertram Standen and enumerated his good qualities of head and heart especially his impartial services as leader of the house. Dr. B. S. Moonje on behalf of his party reciprocated with the feeling.

The Hon'ble Sir Bertram suitably replied and thanked the members of the house for their co-operation. He said he was really very much sorry to have his connection severed from the province where he spent the best part of the life. The Council then adjourned *sine die*.

FORTIETH SESSION OF THE

# Indian National Congress

CAWNPORE—26TH DECEMBER 1925

## The Opening Day

The 40th session of the Indian National Congress commenced on the 26th December afternoon in a spacious pandal. Decorations were simple. Khaddar was, as usual, extensively used. Portraits of Leaders on the dais were those of Mahatma Gandhi, Lok. Tilak, Pt. Malaviya, Deshbandhu Das and Pt. Motilal. Oil paintings of Deshbandhu C. R. Das and Lok. Tilak were prominently placed. Unlike other sessions mottos were few and taken from quotations of pithy sayings of various leaders—"Be Honest"—(Gandhi) "End or Mend"—(Deshbandhu) "Deeds not Words"—(Lajpatrai) "Home Rule is our Birthright"—(Tilak). The main motto in front of the dais declared "Unity is Strength." Delegates and visitors began to pour in from 12 noon. Lady delegates and visitors were quite numerous.

## Great Confusion.

At 1-30 a considerable stir was caused by Ajmere-Merwara Delegates trying to force their way into the pandal. They numbered about sixty and held themselves entitled to attend the Congress in defiance of the Congress Subjects Committee's ruling invalidating their election. A large number of volunteers had to be collected to prevent the onrush. Doors were barred and volunteers armed with lathis formed a cordon. Still the Ajmer delegates, who had determined to fight their way in, continued to press and refused to disperse in spite of persuasion by the volunteers who cried "no violence please" But Mr. Arjunlal Sethi, leader of the Ajmer delegates, lay across the entrance and a few delegates of other provinces in their hurry to get in trampled upon him. By this time the pandal was packed though not very fully. After some time the rush was controlled and the Ajmere delegates were kept out. Sj. Arjunlal Sethi soon regained consciousness but another Ajmere delegate had to be taken out as he also wanted to force in. Some minor injuries were reported in two or three cases.

By 2-30 the leaders arrived in a procession, the band playing. Pandit Motilal entered first with Lala Lajpat Rai on his right. Dr. Murarilal came next with Moulana Abul Kalam Azad. Mahatma Gandhi's appearance was the occasion for shouts of "Gandhikijai" and next came in order Moulana Mahomed Ali, Mrs. Sarojini Naidu, Mr. M. R. Jayakar, Mr. S. Srinivasa Iyengar, Mr. J. N. Sen Gupta, Maulana Shaukat Ali, Mr. V. J. Patel, Mr. Vallabhai Patel, Shiva Prosad Gupta, Rajendra Prosad, Doctor Ansari, Mr. Purshottamdas Tandan, Mr. Rafi Ahmed Kidwai, Swami Shradhanand and Mr. N. C. Kelkar. A number of distinguished persons were on the dais. Over a dozen European ladies and gentlemen were present including Mr. and Mrs. Hubley and Dr. Rutherford, and Miss Slade. Dr. Abdur Rahman and

other members of the South African Indian Deputation were also on the dais. The other Indian leaders present included Munshi Ishwar Saran, Dr. Kailash Nath Katju, C. V. S., Narasinha, Mr. Mohamed Safee, Khan Bahadur Sarafraz Hussain Khan, Mr. C. S. Ranga Iyer, Mr. Duni Chand, Mr. Barucha, Mr. Deepnarain Singh, Lala Hansraj, Dr. Syed Mahmud, Mr. A. Rangaswami Iyengar, Mr. Prakasam, Mr. Abhyanker, Dr. Moonji, Mr. Gangadhar Rao Deshpande, Swami Govindram, Mr. Goswami, Mr. Chamanlal and Mr. D. P. Sinha.

Proceedings began at 2-45 P.M. The pandal was packed to overflow by over fifteen thousand people. Only the Ajmere-Merwar gallery was vacant. The proceedings began with national songs all standing. After Vishnu Digambar and others had sung, Dr. Murarilal delivered his address as Chairman of the Reception Committee. He narrated the difficulties put in their way by the authorities and declared that non-co-operation was not dead but had taken firm root. He took fifteen minutes to deliver his speech. The following is the summary of his address.

### Chairman's Address

In the course of his speech Dr. MURARILAL said that at the time of extending invitation to Cawnpore they had great hopes and high aspirations about according a reception befitting the dignity of the representatives of the National Assembly, but combination of causes stood in their way. Besides difficulties which faced the country they had to contend with local difficulties. After referring to deaths of Mr. C. R. Das and Sir Surendra Nath Banerjee he mentioned the Hindu-Muslim tension which in Cawnpore however led to no untoward happenings. The Opponents of Indian National progress, seeing their temporary weakness, had begun to talk despairingly of their policy and programme, but they had not grasped the full significance of their peaceful methods of work. Mutual recriminations had led many a seasoned soldier to relax his interest in healthy national activities. Their workers were handicapped for want of adequate financial aid owing to depression in trade. The economic policy of Government was one of heartless and cruel exploitation. Organised pillage of the disarmed nation had undermined their manhood and the deadly evil of poverty had made the lives of millions unbearable. Despite these and several other discouraging factors like obtaining site for Congress they worked undaunted and there was the Kakori trial which had snatched away many of their ardent and sincere workers, many of whom had not been even admitted to bail. Those incidents painfully reminded them of the low value that was attached by bureaucratic Government to their rights of liberty and citizenship but he was confident about the success of their struggle. The gospel of non-co-operation had shaken off their frightful terror of coercion and intimidation. To say that the movement was dead was to ignore facts. They might have temporary set-backs but at no distant date the movement would bear fruit.

After the Chairman's Speech Dr. Abdur RAHAMAN, leader of the South Africa Indian Deputation, in a short speech said the Deputation was presenting to one of the greatest women of the world (Mrs. Naidu) her photo. The South African Indians had given India the greatest living man (applause). "Mahatmaji belongs to us (applause). Mrs. Naidu also belongs to us. You will have to give us at least one of the two to go to South Africa and fight our battle. If we take the greatest woman of India we are leaving behind her

photograph so that you may look at it and be satisfied. We present this photo to our mother and our aunt in token of love of the South African Indians."

#### MESSAGES OF SYMPATHY

Mr. Girdhari Lal then read the following messages received from eminent persons wishing success of the Congress :—

Sjta. Basanti Debi (widow of Mr. C. R. Das) asked the President to light up undying fire and let the united nation rise out of smouldering ashes purified and strong. India's freedom's battle must be made a worthy fight for which Deshabandhu Das gave his life and for which two hundred of their sons were abiding their time behind prison-bars.

Dr. Rabindranath Tagore requested Mrs. Naidu to direct the Congress to love and service to the cradle of the people. The great mother's milk for her children had run dry through poverty, ignorance, disease and disunion, where life was waning and light of joy was nearly extinct.

Mr. B. Chakravarti urged a policy by which to consolidate national forces and make national demand irresistible.

Mr. C. Vijayaraghavachari (Salem) suggested the constitution of a committee for drafting Indian constitution to be adopted in a special session of the Congress.

Mrs. Annie Besant wired: "May Congress be guided by you along the path to Home Rule by union of all parties who work for India's freedom and revive her splendid past."

Hon. Mr. G. S. Khaparde wanted Mrs. Naidu to restore the Congress to its truly political character with responsive co-operation as the settled policy.

Lord Sinha sincerely hoped there would be great gathering and a successful session.

Mr. Jinnah said the immediate issue was securing the revision of the present constitution, but any action of principle of direct action would be fraught with serious consequences and imperil political advance.

The Indian Congress Committee of Nairobi said, unless the whole of India was united and attained Swaraj, all efforts to secure equal status for Indians in British colonies and foreign countries would be futile.

The Transvaal Indians through their committee asked the Congress to support the South African Deputation. The Pretoria British Indians' Association made a similar request.

Hon. Syed Raza Ali from Maritzburg wired appealing for modification of the constitution to admit all parties.

### The Presidential Address

Mrs. Sarojini Naidu, the first Indian lady to preside over the National Congress, then proceeded to the rostrum and received a great ovation. She spoke for over an hour extempore. Her printed address no doubt briefly covered most of what she said, but she spoke at the spur of the moment without restricting to language used in the address. She kept the audience spell-bound. The following is the full text of her Address :—

" Friends—Were I to ransack all the treasures of human language I fear I should fail to discover words of adequate power or beauty to translate my deep and complex emotion in acknowledging the signal honour you have done me, by entrusting to my unskilled hands the high burden and responsibility of so exalted an office, which for two score years has been ennobled by the brilliant and memorable achievement of my distinguished predecessors both of our own and of alien race. I am fully aware that you have bestowed upon me the richest gift in your possession, not merely as gracious recompense for such trivial service as I may have been privileged to render at home or abroad ; but rather in generous tribute to Indian womanhood and as token of your loyal recognition of its legitimate place in the secular and spiritual counsels of the nation. In electing me to be the chief among your chosen servants, through a period so fraught with grave issues and fateful decisions, you have not treated a novel precedent. You have only reverted to an old tradition and restored to Indian woman the classic position she once held in a happier epoch of our country's story : symbol and guardian alike of the hearth-fires, the altar-fires and the beacon-fires of her land. Poignantly conscious as I am of my own utter unworthiness to interpret so exquisite, so austere an ideal of wisdom, devotion, and sacrifice, as embodied through the ages in the radiant heroines of our history and legend, I trust, that to the fulfilment of the lofty task you have allotted me, even I might bring some glowing ember of the immortal faith that illumined the vigil of Sita in her forest exile, and bore the feet of Savitri undaunted to the very citadels of Death.

" The accepted convention of this august assembly imposes upon me, alas, the duty of placing before you a formal document of plans and policies of work for the coming year. I therefore, contrary to the impulse and custom of a life-time, am vainly groping for appropriate phrases that might serve dimly to foreshadow some of the thoughts that can only find spontaneous expression when I stand in your midst and the inspiration of your living presence shall give to my heart its voice of hope, and to my words their wings of fire.

#### Homage to Departed.

" Before we reach the central purpose of our labours in this northern city, to which we have journeyed from the farthest ends of India, let us offer our mournful homage to the memory of our illustrious dead—to that great patriarch of our national renaissance, Surendranath Bannerjee, who for well-nigh half a century assailed the heavens with the thunders of his splendid oratory in indignation at the burning wrongs of his people ; to Ramakrishna Bhandarkar, the famous Scholar of the Deccan, who with patient and dedicated hands rekindled the lamps of our ancient Sanskrit culture, and lifted it high above the clamour and conflict of political throngs ; to Deshbandhu Chitta Ranjan Das, kingliest of dreamers, whose whole being was a Vaishnavite rhapsody of incomparable passion for the liberty of his motherland, who died with his hand outstretched in a royal gesture of reconciliation towards a powerful antagonist against whom he had fought so often with such reckless and victorious chivalry.

" Would that he were with us to-day to guide us aright in our anxious deliberations and help us to apprehend the true and tragic significance of the stupendous problems that call for immediate settlement and cannot with impunity be deferred to a more convenient season. A singular combination

of domestic and international circumstances has conspired to implicate us against our will and almost without our knowledge in a labyrinth of intricate and unparalleled difficulties that threaten the stability and integrity of our national existence. Our imperative duty, therefore, is to survey with eyes unhooded of their habitual illusion, the sinister and melancholy spectacle of our abject helplessness born of our foolish disunion and nourished by our long dependence upon the caprice or the compassion of Imperial policies. What means shall we devise, what schemes shall we evolve to deliver ourselves from the manifold dangers that encompass us? How shall we combat the deadly forces of expression that challenge our human rights of liberty, how defeat the further encroachment of ruthless and rapacious Imperialist exploitation that despoils the remnants of our moral and material heritage? How circumvent the insidious and ingenious aggressions of other foreign races eager to profit by the conditions of our economic and intellectual servitude? How shall we avert the implacable doom that menaces our unfortunate kindred in the Colonies, how quell the rampant forces of reaction or divert the disaster of our internecine feuds?

#### Non-Violent Non-Co-Operation.

"The answers that we need are fully enshrined in the magnificent Gospel of sacrifice enunciated by Mahatma Gandhi, in which he vainly strove to teach us the heroic secret of national self-redemption. But we, so long disinherited from the epic faith that sustained our brave forefathers, were too weak and unworthy to respond for more than a brief period to the demands of that noble and exacting creed. Whatever may be the verdict of history, it cannot be gainsaid that the movement of non-violent non-co-operation that swept like a tempest over the country shook the very foundations of our national life, and though to-day it is quiescent and its echoes are almost still, it has irrevocably changed the aspect of our spiritual landscape.

"However remote may be all our programmes for the future from the principles and ideals of Mahatma Gandhi, they must inevitably be permeated by the influence of these recent years which have permanently shifted the current of our political thought and altered the direction of our political destiny.

"We need to-day some transcendent miracle of intrepid and enduring statesmanship to enable us to remobilize, reconcile and discipline our scattered and demoralised energies to a supreme unanimous effort for the final deliverance of India from the last shackles of her political subjection; and to devise a comprehensive scheme that shall act as a natural and indispensable auxiliary of political emancipation, and include within the scope of its interest or benediction all the enterprises and endeavours that substantially contribute to the social, economic, industrial and intellectual advancement of India, consistently with the requirements of her own peculiar conditions and in accordance with the finest ideals of modern progress.

#### Village Reconstruction.

"To give concrete expression to our decisions in regard to these ancillary activities, the Indian National Congress should create definite departments to be governed by groups of men and women specially qualified by their capacity or enthusiasm to administer to the vital and divergent wants of the people. The main divisions might be few but should include within their

sphere of responsibility all cognate matters. To my mind it is of paramount importance to formulate a practical scheme of village reconstruction on the lines of Deshbandhu Das's dream. For this purpose we must try to enlist a large band of missionary patriots of burning zeal who, set free from material wants by the pious charity of the householders of the country as in ancient times, should carry through the length and breadth of the land the beneficent evangel of self-reliance and self-respect, taking the immemorial twin symbols of the plough and the spinning wheel as the central text of the teaching that shall liberate our unhappy peasantry from the crushing misery and terror of hunger, ignorance and disease. Closely allied to the task of village reorganisation is the task of organising the industrial workers in the crowded cities, who are so often compelled to live under conditions that degrade and brutalize them; and who, dislocated from the steady influences of the familiar traditions and associations of the rural homes they leave in search for bread, are so hopelessly exposed to the temptations of immorality and vice. It should be our endeavour to assist in securing for them improved housing conditions, better wages and a cleaner atmosphere, and to establish an equitable and harmonious co-operation between Capital and Labour as a valuable joint asset of national progress.

#### The Education Problem.

"I am appalled at the criminal apathy of our general attitude towards the urgent problem of Indian education. The surpassing evil of foreign domination has been to enslave our imagination and intellect and alienate us from the glorious tradition of our national learning. We are to-day no more than the futile puppets of an artificial and imitative system of education which, entirely unsuited to the special trend of our racial genius, has robbed us of our proper mental values and perspectives, and deprived us of all true initiative and originality in seeking authentic modes of self-expression. It is pre-eminently our duty towards the young generation to so recreate our educational ideals as to combine in felicitous, and fruitful alliance, all the lovely regenerating wisdom of our Eastern culture with all the highest knowledge of art and science, philosophy and civic organisation evolved by the younger peoples of the West.

#### National Militia.

"In addition, I would insist with all the force at my command on including a complete course of military training as an integral part of national education. Is it not the saddest of all sameful ironies that our children whose favourite lullabies are the battle songs of Kurukshetra and whose little feet march gaily to the stirring music of Rajput ballads, should be condemned to depend for the safety of their homes, the protection of their sanctuaries, the security of their mountain and ocean frontiers, on the fidelity and strength of foreign arms. The savage Massai, the primitive Zulu, the Arab and the Afridi the Greek and the Bulgar may all carry their tribal weapons and claim their inalienable right to defend the honour of their race, but we, whose boast it is that we kindled the flame of the world's civilization, are alone defrauded of our privilege and have become cowards by compulsion, unfit to answer the world's challenge to our manhood, unable to maintain the sanctity of our homes and shrines.

"Whatever the experiments recommended by the Commission now sitting to explore the avenues of military advancement for our people, it is incumbent

upon the Congress to form forthwith a national militia by volunteer conscription, of which the nucleus might well be the existing volunteer organisations. Further, we should also carefully consider the question of nautical as well as naval and aerial training to equip the nation for all purposes of defence against invasion or attack.

#### South-African Question

"Let it not be said of us, however, that our selfish absorption in our own domestic affairs has made us oblivious to the distress and difficulty of our kinsmen in foreign lands. Our adventurous compatriots, who have crossed the seas to seek their livelihood in the dominions and colonies have from time to time been subjected to restrictive and repressive legislation. The White Paper still stands as a reproach against our failure to redress the wrongs of Indian community in Kenya. But in the whole chronicle of civilized legislation there has never been so cruel and relentless an outrage against humanity as is deliberately embodied in the anti-Asiatic Bill, which is calculated to exterminate the Indian community from South Africa.

"Shall we not send across the seas a loving and ready response to their heart-rending cry for succour, and, through their ambassadors whom we welcome to-day, offer to our harassed and afflicted brothers in South Africa the assurance that India stands behind their courageous struggle to vindicate their inherent civic and human rights against the onslaught of such terrific injustice and oppression ?

#### An Overseas Department

"Never before has duty to our kindred in foreign countries been so vividly brought home to our minds ; nor the necessity of establishing a close and living contact with all their changing fortunes. We should not lose a single moment in forcing an Overseas Department in the Congress manned by those who can keep themselves vigilantly aware of all the legislations and enactments that adversely or otherwise affect Indian settlers abroad.

"Here my heart pleads with me to remember those sorrowful and lonely exiles, pining in strange and far-off corners of the earth, consumed with a desperate hunger and nostalgia for a glimpse of their motherland, to which they cannot return because, once they sought to serve her and win her freedom in ways unrecognised by the common law. But many amongst them surely have made fullest atonement for all the fervent folly of their too impatient youth. Surely they, who have been chastened in the searching crucibles of dreadful suffering and privation have been refashioned to become consecrated vessels of selfless service for the amelioration of the poor, the fallen, and the depressed.

#### Foreign Propaganda

"I cannot conceive how we have allowed ourselves to be so heavily handicapped by the lack of an efficient publicity which is the first essential of any campaign. We should therefore take immediate steps to form a department for widespread political propaganda and for the education of the masses in all matters pertaining to their civic and social interests, to the wrongs under which they labour, the struggles in which the nation is engaged, the iniquitous and unstable fiscal and financial policies so ruinous to the prosperity of the country. I am confident that we could secure the willing co-operation of those who, otherwise prevented from active participation in public affairs, would gladly place their expert knowledge at our disposal, to advise us on



questions connected with the revival of cottage industries, on commerce, railway shipping, co-operative banking, and all other branches of development necessary for our material welfare.

"The nationalist press, both vernacular and English, should be amongst the accredited channels of our propaganda; above all a reliable foreign news service should be established to transmit to all the chief centres of the world the correct version of Indian affairs, and friendly embassies appointed to foster feelings of goodwill and understanding between India and the people of other lands.

### Hindu-Moslem Question

"And now I approach with the utmost hesitation and regret the most baffling and most tragic of all the problems before us. I, who have dedicated my life to the dream of Hindu-Muslim unity, cannot contemplate without tears of blood the dissensions and divisions between us that rend the very fabric of my hope. I have tried to arrive at a just appreciation of the many unfortunate causes that have brought about so deep a gulf between the two communities, and tended to quicken such a sharp and importunate sense of aloofness on the part of my Muslim brothers, which, to the profound alarm and resentment of the Hindu community, manifests itself in a growing and insistent demand for separate and preferential rights and privileges in academic, official, civic and political circles of life. Though I am convinced that the principle of communal representation, whether through a joint or a separate electorate frustrates the conception of national solidarity, I am compelled to recognise that situated as we are to-day in an atmosphere so tense and dark and bitter with unreasoning communal jealousy, suspicion, fear, distrust and hatred, it is not possible to reach any satisfactory or abiding readjustment without the most earnest and patient collaboration between Hindu and Muslim statesmen of undeniable patriotism to whom we should entrust the delicate and difficult task of seeing some sovereign remedy for so devastating a disease.

"I beseech my Hindu brothers to rise to the height of their traditional tolerance which is the basic glory of our Vedic faith and try to comprehend how intense and far-reaching a reality is the brotherhood of Islam, which constrains seventy millions of Indian Mussalmans to share with breathless misery the misfortunes that are so swiftly overtaking the Islamic countries and crushing them under the heel of the military despotism of foreign power.

"In their turn I would implore my Muslim comrades not to permit their pre-occupation with the sorrows of Syria, Egypt, Iraq and Arabia to obliterate the consciousness of their supreme duty to India, their motherland, which must always have the first claim upon their devotion and allegiance.

"If Hindus and Mussalmans would both learn to practise the divine qualities of mutual forbearance and accord to one another perfect liberty of living, without the tyranny of fanatical interruptions of one another's appointed rituals and sacrifices, if they would but learn to reverence the beauty of each other's creeds and the splendour of each other's civilizations, if the women of the two communities would but join together in the intimate friendship of their common sisterhood, and nurture their children in an atmosphere of mutual sweetness and harmony, how near we should come to the fulfilment of our heart's desire!

### The States and Frontier

"We should grossly fail in our duty to our neighbours were we to omit to try and foster cordial ties of sympathy and trust between ourselves and the princes and the people of the great Indian States scrupulously refraining from all interference in their internal concerns but always ready to serve in their wider interests.

"Nor can we afford to ignore the claims of the Frontier Provinces, which owing to their peculiar geographical and strategic position on the map, are governed by a form of perpetual martial law. We should render them all the assistance in our power, in their efforts to obtain the normal civic and social amenities which are so abundantly enjoyed by their sister provinces.

### Our Common Goal

"These are some of the accessory features of our work. The real function however of the Indian National Congress is the speedy attainment of Swaraj.

There is a large and influential section of Congressmen who still cling with touching and jealous loyalty to the orthodox creed of Non-co-operation. Sternly refusing to take cognizance of Legislative bodies they devote themselves to the pursuit of Mahatma Gandhi's benevolent mission, propagating the cult of the spinning wheel and ministering to the lowly and pitiful outcasts of our society whom, in our arrogance, we have so long deprived of their elementary human rights.

"To-day therefore, the Swaraj Party with its highly disciplined organisation and its striking record of success is the only political body within the Congress engaged in actual combat with bureaucratic authority. Is it not in this crucial hour the unmistakable duty of all the other political parties in the country, irrespective of their particular labels and particular beliefs to return to the Congress, which invites them with open doors, and coalesce all their divided energies and talents in devising a common programme of action in pursuance of common goal.

"All of them have openly acknowledged that the Reforms of 1919 which were to have created a new era of progress have proved nothing but a mirage and the powers they professed to transfer to the people nothing but a deceptive myth. All of them surely, are tacitly agreed upon some common maximum of the wrongs they are still prepared to endure, some common minimum of the rights they are now determined to enforce. And whatever be my own personal conviction, they at all events are all in favour at least as an initial form of self-government, of the ideal of Dominion Status, so elaborately expounded in the Commonwealth of India Bill, and more succinctly and emphatically embodied in the National Demand which has been endorsed by the representatives of all political schools in the Legislative Assembly. Below the limits of that demand the Indian nation cannot descend without irretrievable damage to its dignity and self-respect. It is now for the Government to make the responsive gesture that shall decide our future attitude. If the response be sincere and magnanimous, with ample guarantees of good-will and good faith on its part, it will necessitate an immediate revision of our present policy. But if by the end of the Spring Sessions we receive no answer or an answer that evades the real issues, or proves unworthy of our acceptance, the National Congress must clearly issue a mandate to all those who come within its sphere to vacate their seats in the Central and Provincial Legislatures and inaugurate from Kailas to

Kanyakumari, from the Indus to the Brahmaputra an untiring and dynamic campaign to arouse, consolidate, educate and prepare the Indian people for all the progressive and ultimate stage of our united struggle and teach them that no sacrifice is too heavy, no suffering too great, no martyrdom too terrible, that enables us to redeem our Mother from the unspeakable dishonour of her bondage, and bequeath to our children an imperishable legacy of Peace.

"In the battle for liberty, fear is the one unforgivable treachery and despair, the one unforgivable sin.

"With palms uplifted in ardent supplication, I pray that, to us, in our coming hour of travail, may be granted in sufficient measure an invincible faith and an inflexible courage, and that he in whose name, we begin our labours to-day will in the hour of our triumph keep us humble and in the beautiful words of our ancient invocation,

"Lead us out of the Unreal into the Real,

"Out of the Darkness into the Light,

"Out of Death into Immortality".

## Proceedings and Resolutions.

### 1.—The Condolence Resolution.

After the Presidential Address Mrs. Naidu moved from the chair a resolution mourning the death of the departed leaders, which was passed, all standing.

### 2.—The South African Indians.

Mahatma Gandhi then moved the following resolution about South African Indians in the form passed by the Congress Subjects Committee.

"The Congress extends its cordial welcome to the South African Indian Congress Deputation and assures the Indian settlers of South Africa of its full support in their struggle against the consolidated forces which threaten their very existence in that sub-continent.

"This Congress is emphatically of opinion that the proposed legislation known as the Areas Reservation and Immigration and Registration (Further Provision) Bill is in breach of the Smuts-Gandhi Agreement of 1911, in that it is racial in character and is calculated not only to make the position of settlers much worse than it was in 1914, but is designed to make residence in that country of any self-respecting Indian impossible.

"In the opinion of the Congress if the interpretation of the said agreement as put upon it on behalf of the settlers is not accepted by the Union Government, it should be decided by reference to arbitration, as was done in 1893 in connection with matters affecting the Indian settlers of the Transvaal, and in matters arising from the administration of Law 3 of 1895.

"The Congress heartily endorses the suggestion that a Round Table Conference, containing, among others, proper Indian representatives, should be called to settle the question, and trusts that the Union Government will accept that reasonable suggestion.

"In the event of the proposal of a Round Table Conference and the proposal regarding arbitration failing, the Congress is of opinion that the Imperial Government should withhold Royal Assent to the Bill should it pass through the Union Parliament.

In moving the above resolution Mahatma Gandhi delivered the following speech :—

"This is the resolution which I have not only the greatest pleasure in submitting to you for approval, but I consider it a rare privilege that I am authorised by Sarojini Devi to place this before you. She has introduced me to you as a South African. She might have added "By adoption, though born in India." I was adopted there and you will discover that when Dr. Rahaman, the leader of the deputation, to which you will extend your cordial welcome, will tell you that Indians of South Africa claim that they have given me to you. I accept that claim. It is perfectly true that whatever service I have been able to render—it may be disservice—to India, it is because I come from South Africa. If it is disservice it is not their fault; it is my limitation. Therefore, the evidence that I propose to give before you in support of the statement made here is that the Bill which is hanging like the Sword of Damocles over the heads of our countrymen in South Africa, is designed not merely to heap greater wrongs upon their heads, but virtually to expel them from South Africa.

#### Indians' Feeling

"Such is admittedly the meaning of the Bill. It is admitted by the Europeans of South Africa. It is not denied by the Union Government itself. If such is the result, you can imagine how keenly the Indians in South Africa must feel. Imagine for one moment that the Expulsion Bill is to be passed in the next session of the Assembly, expelling one hundred thousand Indians from India. What should we do or how should we behave under such a crisis? It is under such circumstances that you have the deputation in your midst. The deputation comes here for support from the people of India, from the Viceroy, the Government of India and through it the Imperial Government itself.

"Lord Reading has given them a long reply, and I wish I could have said also a satisfactory reply. The reply His Excellency has given is as unsatisfactory as it is long, and if that was all the efforts Lord Reading proposed to give to the members of the deputation he could have said that in a few words and spared them and spare this land the humiliating spectacle of a great Government confessing its inability to render proper redress to those who for no fault of their own, who, as many South African Europeans would admit, for their very virtues, are now in danger of being expelled from South Africa. To some of them South Africa is a land of their birth. It was no comfort to those friends of our, it was no comfort to us to be told that the Indian Government has always reserved to itself the right to make representation to the South African Government—the right of petitioning—that is to say by a mighty Government, a Government which is supposed to hold the destiny of 300 millions of people in the hollow of its hands. That Government confesses its powerlessness. And why, because South Africa enjoys Dominion Status.

#### Domestic Policy

"Lord Reading has told the deputation that the Indian Government or the Imperial Government cannot interfere with the domestic policy of a colony enjoying Dominion Status. What is the meaning of "domestic policy" when that policy is calculated to bring ruin upon the homes of thousands of Indian settlers domiciled there whom they deny the common rights of

humanity? Well, what would be the case if instead of Indians they happened to be Europeans or Englishmen?

"Let me quote a precedent. Do you know why the great Boer War took place? It took place in order to protect the Europeans of South Africa who were domiciled there, or "uplanders," as they were described by the Transvaal Republican Government. The late Mr. Joseph Chamberlain claimed for the British Government that even if the Transvaal was an independent Government he declined to believe that this was purely a domestic policy, or domestic question. He claimed to protect the rights of the "Uplanders" of Transvaal, and that was why the great Boer War took place.

#### Where are the Declarations?

"Lord Lansdowne said that it made his blood boil when he thought of the disabilities of Indians in Transvaal. He held that one of the potent causes of the Boer War was the disabilities of Indians in South Africa, or more accurately Indians of the Transvaal. Where are the declarations to-day? Why does not the British Government go to a war against the Union Government when the life, honour and livelihood of 150 thousand Indians are at stake?

"No body questions the description I have given. No body questions the ever growing grievances of the British Indians in South Africa. If you have seen a little pamphlet by Bishop Fisher who had been to South Africa you will find that there he gives a summary of the wrongs that are going to be heaped upon the South African Indians. The Bishop has come to the impartial conclusion that for these wrongs the Indians are not to blame. It is the Europeans; it is the jealous European traders; it is the insolence of the European power that is responsible for these wrongs. He gives his testimony that Indians deserved better at the hands of Europeans of South Africa.

"If justice can possibly eradicate this wrong, if admission by South African European statesmen could eradicate the wrongs, if right rules this world—for South Africa it will be impossible to bring about this Bill and it will not be necessary for me to waste your precious time and the time of the deputation and waste the money of the poor people of South Africa.

#### Thrifty Indians

"But no! Might is right. The Europeans of South Africa have chosen to heap these wrongs upon our countrymen, and for what purpose? Conflict of the two civilisations, as General Smuts said. He cannot put up with that and he thinks Europeans of South Africa consider that they will be overwhelmed by the East if they allow these hordes to pour down to South Africa from India. But how could we corrupt their civilisation? Is it because we are not ashamed to hawk vegetables and fruits and bring to the very doors of the South African farmers? This is the conflict.

"Someone has said (I do not know where, but only recently) that Europeans in South Africa dread the advent of Islam that civilised Spain, that took the torch of light to Africa and preached to the world the Gospel of Brotherhood, they are afraid that the natives of South Africa are embracing Islam. If brotherhood is a sin, if it is equality of coloured races that they dread, then that dread is well founded. The thing is they want to become lords of the universe. They want to appropriate the land for themselves. The Kaiser, though down-trodden, fears an Asiatic federation and speaks even from his haunt that it is a danger which Europeans should

guard themselves against. That is the conflict of civilisations and that is why Lord Reading is powerless to intervene in their domestic policy.

### Unequal Struggle

"Such are the tremendous consequences of the struggle which this resolution describes as unequal, and it is in that unequal struggle that this Congress is called upon to be privileged to take its due share. I want to make an appeal, if my voice can go as far as South Africa, to the statesmen that are ruling the destiny of the South African Indians.

"I have so far given only the dark side of South African Europeans. Let me also say that I claim among them some of my most precious friends and I have received from individual South African Europeans the greatest kindness and greatest hospitality. I claim also to know General Smuts, though I may not claim to be his friend. He was a party to the agreement on behalf of his Government. He it was who said that the British Indians in South Africa deserved this settlement. It was he who said that this was a final settlement and that Indians should not threaten passive resistance and that the European settlers in South Africa should allow rest to the Indian community.

### Broken Pledges

"But hardly had I turned my back from South Africa than a series of wrongs began to be heaped upon them. Where is the plighted word of General Smuts? General Smuts will go one of these days the same way that every human being has to tread, but his words and deeds shall remain after him. He is not a mere individual. He spoke the right thing in his representative capacity. He claims to be a Christian and every one of the members of the South African Government is Christian. They claim to be Christians. Before they open their Parliament they read out the common prayer from the Bible and a South African Divine opens the proceedings with a prayer that goes up to God, not of white men, not of the Negro, not of the Mussalman, not of the Hindu, but the God of all.

"I say this from my place of position, and knowing my responsibility to its fullest extent, that they deny their Bible, they deny their God, if they hesitate for one moment, if they fail to render the elementary justice that is due to the Indians of South Africa".

Maulana MOHAMED ALI deplored that it was because the nation had not taken to the spinning wheel and had on the other hand established many war fronts in the form of fights between Hindus and Muslims, Brahmins and non-Brahmins, No-changers and Swarajists, and now the latest between Swarajists and Responsive Co-operators that they were feeling helpless in helping their brothers in South Africa. Was it not a shame that one among every four of Indians was untouchable? He, however, felt that Mahatma Gandhi had introduced a new force—the readiness to die—with which they could defy the most mighty. The speaker offered himself for service in South Africa any time that his life was required.

Mr. KARANDIKAR, ex-member of the Council of State, in supporting the resolution said some time ago this question was discussed in the Council of State. He became aware of the attitude of the Government that it was anxious to do all that was possible, but in the end it turned out to be nothing more than impotent rage. He asked the Government of India

to do its duty in ameliorating the conditions of Indians in South Africa, for it was the Government of India, who under pressure from the Home Government, sent them there to develop that land.

The resolution was then put and carried unanimously amidst acclamation.

Dr. Abdur RAHAMAN then came to the rostrum to acknowledge thankfully the resolution passed, which he said was the first thing since their arrival in India that had inspired them with a little hope for the future (Applause.) He had no doubt that if only they could get Mahatmaji to put their case before the Indian people there would be no difficulty in getting the Indian nation to stand by the sons of India in their sufferings in South Africa.

The Union Government's Bill intended that the Indian community be either exterminated or hounded out. "The majority of us in South Africa are not going to give in. (Hear. hear.) We feel we are fighting your battle; when a wound is inflicted on us we feel it has been inflicted on our Motherland—the Great Indian Empire.

As Mahatmaji has said, we are disappointed with the Viceroy's reply. He said that we could not interfere with domestic legislation of South Africa. Why is it domestic? We are fortunately or unfortunately a part of the British Empire, and it is because we are a part of the Empire that the Government of India is impotent and helpless. (Shame.) If the British Empire only means exploitation of non-European races, if it stands only for letting Europeans exploit the weak, the sooner the Empire is done with the better it is for the world." (Applause).

He asked those in the Councils that if the Government of India failed to assist them, they should put the South African issue in their elections and throw out all Bills. "Do not sanction a farthing and hold up all government machineries until we who are treated as political helots and are held in industrial serfdom, are treated honourably." (Applause).

Dr. Abdur Rahaman pleaded that they should let Mahatma Gandhi go to South Africa just for a few months and all their troubles would be over. Mahatma Gandhi did not look ill. The longer he spoke the stronger his voice grew. Mahatmaji knew their difficulties. Either their shops were stopped, or they had no schools to give education to their children or to learn skilled trade. The law of the land prohibited them from being so employed. (Cries of shame.) If only Mahatmaji could go with them, all troubles would vanish, just as snow melted before the morning sun.

They must have discovered again and again that they were suffering because they were members of the British Empire. "If you had some battleships to-day, if you had your army, a little handful of the so-called whites, who were vomitted forth on the shores of Africa from the slums of Europe, would not have dared do what they are doing to-day. No Englishman would be let to suffer these conditions for 24 hours.

We are going through the country. I have told the Viceroy that we are going to ask the people of India to back him up. The Viceroy must tell Great Britain that she must exercise the power reserved under Section 65 of the South Africa Act, that if they don't give us a Round Table Conference, then the British Government should veto that Bill, and if the British Government does not use it, then it will show that they have tricked us, that they

have betrayed us, because they put that Section into the Act, and they refuse to use it. We are your soldiers. We are not beaten. We are not going to give in. It is your duty to say : Go on boys ; fight on in South Africa ; we will stand by you ; we will support you in every way. Then we will go on and maintain the honour of the great Indian Empire. (Loud Applause).

The Congress then rose for the day and adjourned till 12 noon the next day.

### SECOND DAY—27TH DECEMBER 1925

The Congress reassembled at 1-30 p.m. Attendance was as large as yesterday, as the agenda on this day contained the central resolution of the session regarding the political programme of the Swarajya Party as finally approved of by the Congress Subjects Committee on the previous day. Other resolutions condemned Government's action under the Bengal Ordinance, demanded unconditional release of Sikh prisoners, urged the Viceroy to withhold sanction to the Expulsion of Non-Burman Offender's Bill and Tax on the Sea Passenger's Bill. Pandit Malaviya attended on this day.

### 3.—The Bengal Ordinance Condemned.

Mr. J. M. Sen Gupta moved :—

" This Congress strongly condemns the abuse of Regulation III of 1818 and the autocratic enactment of the Bengal Ordinance Act and the arrest and detention without definite charge and open trial of a large number of patriotic youngmen of Bengal under the said Regulation and the Act and further condemns their continued incarceration, maltreatment and deportation outside Bengal notwithstanding the clearly and repeatedly expressed opinion of the people both inside and outside the legislatures."

Mr. Sen Gupta said Government had broken its pledge given in a Government Resolution on the Repressive Laws Committee's Report to repeal Regulation III of 1818. On the other hand the Bengal Ordinance was secretly hatched and 150 persons were arrested for conspiracy, but not a single document or ammunition of an incriminating nature was discovered. The Ordinance itself was so framed that to silence some critics it was provided that there would be trial by Special Magistrates. More than a year had, however, passed and the 150 patriots were kept in jail without trial and without any charge against them. (Shame, shame). Government apologists had stated that witnesses and jury would be intimidated. This was a lie. One single European, Mr. Day, during the last five years has been killed and it was a jury with a majority of Indians that returned a verdict of guilty. Witnesses, all Indian, gave evidence in the case. Same was done in the case of a bomb thrown into a shop. The fact, however, was that Government had no proof which could stand the test of judicial scrutiny.

" My charge is that their object is not to punish criminal activity, but to smash the legitimate activities of the Swaraj Party and the Congress." (Applause). Mr. Sen Gupta charged the Bengal Government for violating the Ordinance by not providing comforts to the prisoners promised by the Act and held it unlawful on the part of Sir Hugh Stephenson to have stated that it was a part of the Burma Government's job and not the Bengal Government's to fix the allowance of detainees transferred to the Rangoon jails. He declared that the administration which stood in the way of the



forces of liberty would be demolished as similar institutions have been demolished in the past in other countries. (Applause).

Mr. M. R. Jayakar, seconding the resolution said the Ordinance was a disgrace upon any civilized Government, much more so on a Government which had in its own country produced the Common Law and the Law of Evidence to sift falsehood from truth. He did not know of any instance since 1908 when a prisoner killed a co-prisoner for perfidy or where a witness had been intimidated.

Mr. Shyamsunder Chakraverty held that mere passing of resolutions on the Bengal Ordinance every year showed only impotent rage.

After Dr. Satyapal and Mr. Purushottam Roy had spoken the resolution was passed unanimously.

#### 4.—The Gurdwara Prisoners.

Lala Lajpat Rai moved :—

"This Congress deeply regrets that the Punjab Government has not yet released the Gurdwara prisoners in spite of the settlement brought about by the Gurdwara Act merely on the technical ground that the Gurdwara prisoners would not give an undertaking which high-souled prisoners declared to be derogatory to their self-respect. This Congress is of opinion that there will be no proper settlement of the Gurdwara questions until the Gurdwara prisoners are unconditionally released."

Lala Lajpat Rai said the Bengal Partition agitation and the Sikh Gurdwara agitation stood before them as outstanding examples of what a determination to win a right cause could achieve. The Sikhs were determined and made the life of the Government most inconvenient and they had their way. The Government paid no heed to mere bluff and threat. He was one of those who had previously advised the Sikhs to accept the condition, but when the Sikh prisoners had gone on better and had enrolled themselves as voters under the Act there is no basis for the Government to insist on its particular condition being fulfilled.

Mr. Srinivasa Iyengar held that it was nothing but a spirit of meanness that the Government was exhibiting in asking for an idle undertaking.

Maulana Shaukatali's advice to the Sikhs was that let all their leaders rot in jail but never to give an undertaking.

Pundit Nekiram said the Sikhs had won right through and the Government had now put the last hitch to keep up its prestige. But the Sikhs who had sent in thirty thousand men to jail, had suffered four hundred of them to death and had paid eleven lakhs to penalties, could not yield.

Qazi Abdur Rahiman and Mr. Barucha also supported.

Sardar Mangal Singh in thanking the Congress for the support said Sir Malcolm Hailey's Government would have to surrender. How were they saying that the country was not fit for Civil Disobedience, when hundreds of them in the Punjab who were members of unlawful bodies—the Akali Dal and the S. G. P. C. of which he was the President—were not being arrested? The Government dared not. When Mahatma Gandhi and Lala Lajpat Rai told them to accept the condition of the Punjab Government, Sikh leaders felt that it would involve national humiliation, if they did so after such sacrifice. He assured them that the Sikhs would be prepared for even greater sacrifices for national liberty but on one condition that the Hindus and the Muslims did not fight. It was, indeed, because of the Congress's

weakness that it took them two years to win their point at Jaito, because the Government thought that without the help of the Hindus and the Muslims the Sikhs could not hold on for long.

The resolution was passed.

### 5.—Non-Burman Offenders' Bill.

Mr. T. Prakasam then moved :—

"This Congress regards the expulsion of Non-Burman Offenders' Bill and the Tax on Sea Passengers' Bill of Burma to be an attack on the liberty of the citizens and in the opinion of the Congress the first Bill imperils the vast interests of Indians resident in Burma inasmuch as it exposes innocent men to the mercy of the Executive and is of opinion that the Bills should not receive Viceregal sanction".

Mr. Prakasam said he had recently been touring in Burma, closely studying the conditions there. The real object of the Expulsion Bill was the prevention of political propaganda among the Indians there. Schedules attached to the Bill included trivial offences like the failure to take out license for keeping wireless installation. If the Bill became law they would soon have a Kenya in the very heart of India. The Viceroy expressed his powerlessness to do anything substantial for the Indians in Kenya. But Burma was a part of India and the Bill was introduced with his previous permission. He could not plead now powerlessness.

Continuing Mr. Prakasam described in detail the effects of the Sea Passengers' Bill that proposed a tax of Rs. 5 on every Indian getting into boat for Burma from any part of India. It was the paramount duty of India to see that these two obnoxious Bills did not get into the Statute Book. Concluding Mr. Prakasam said the Burmans themselves did not give their approval to these two Bills. Even the Nationalists who were originally responsible for the passing of them had come to realise their mistake. Mr. Prakasam hoped that the Indian M.L.C.s in the Burma Council would co-operate with the Swarajists and the Home Rulers and get these Bills revoked. Mr. Prakasam also put in a strong plea for the regulation of the emigration of labour from India to Burma and Ceylon. India was fast becoming, said Mr. Prakasam, a labour depot. Was it not our duty, he asked, to see that labourers who went out were not subjected to ill-treatment?

Mr. HALDER seconding said there was no organised movement to support our resolutions. The trouble in Burma was the same as the trouble in South Africa. Everything was a question of bread and butter, especially so in the country of virgin soil. The mighty Europeans who were exploiting the Indians must be attacked on their weak spot. The speaker asked, would there be an organised movement from India which would go to Burma and vindicate our rights there? This could be done by the peaceful weapon of the Akalis.

Sj. N. C. BANERJEE, ex-editor of the "Rangoon Mail", deplored that the Indians here had not realised the danger that threatened the Indians in Burma. After the qualified Home Rule given to Burma the cry of 'Burma for the Burmans' had been raised to the detriment of the Indians and the Burmans and in the real interests of the British exploiters. The Burmans were opposed to the Bills but the leaders of such, Burmans were in jail. Sir Harcourt Butler, very courteous but very astute, had managed to

divide the Burmans from the Indians. It was for the Viceroy to remedy the injustice and danger proposed by the Bills.

Mr. Abdul Sattar WALI (Burman) supported the resolution, The Bills referred to were clearly directed against the Indians because they constituted the majority of the Non-Burman foreign element in Burma.

Mr. MADANJIT (Burma) appealed to the Indians here to come to the rescue of the one million of the Indians in Burma who could not peacefully breathe there if the proposed legislation were not vetoed by Lord Reading. The Indian Congress was taking interest in the position of the Indians in South Africa, of those in Fiji and Kenya, but not of those in Burma.

The resolution was carried unanimously.

## 6.—The Franchise Question.

Dr. SATYAPAL in place of Mahatma Gandhi moved the resolution approving and confirming part I of resolution passed by the A. I. C. C. at Patna regarding the alternative Franchise and creating the All-India Spinner's Association. He made a long speech explaining the importance of Khaddar.

Mr. C. Venkatramana IYENGAR, though he possessed shares in Mills, supported the resolution as he believed there was at present no antagonism between the mill industry and the Khaddar industry. If the manufacture of hand-spun yarn was increased there would be great possibility of reducing the import of foreign cloth and foreign yarn. Mills in India could not completely clothe us and there would always be demand for Khaddar and if the quality and quantity of Khaddar was improved it would be all the better.

Moulana Hasrat MOHANI opposing the resolution objected to the insistence of Khaddar dress for Congress work although he believed in the utility of wearing Khaddar. To be a member of the Congress was the right of every Indian and to deprive him of it on the ground that he did not put on Khaddar was nothing short of coercion. He wondered if the Congress would appreciate the resolution that those who were not vegetarians should not be entitled to exercise their Congress membership rights. It was argued that there must be a National Uniform but what was the need for it. By these sartorial requirement the Congress was shutting out persons like Mr. Jinnah, Sir Tej Bahadur Sapru and Mr. Chintamani who were not opposed to the Congress nor to Khaddar. Maulana Hasrat Mohani had a suspicion that the Congress workers did not always put on Khaddar. At best each could have but one pair of Khaddar cloth to put on on Congress occasions and yet why have the compulsion and disqualification in case of not wearing Khaddar?

Maulana MOHAMED ALI complained that what India possessed was not intelligentsia but unintelligentsia, for if they really had intelligentsia the country could never have remained for so long in the occupation of a handful of Englishmen. Mr. Hasrat Mohani had opposed the resolution on the ground of his dislike of conscription. The speaker asked whether it was not a fact that during the last war when voluntary recruitment did not come up to the standard, conscription was a necessity. The speaker emphasised that what India needed was not protection to transfer 70 crores from the pockets of

Manchester to those of Bombay, but a machinery for the proper distribution of wealth so that these 70 crores might be distributed among twenty crores of poor "Kisans." They jeered at Mahatma Gandhi's prescription for liberty, perhaps because it was so cheap. He asked them to remember that Napoleon used to say that every army was a reptile. It marched on its bellies. It was, therefore, important to feed the bellies in India. Crores of people did not fill their bellies by two meals a day and until they did that India would be unfit for liberty. The same was true regarding the "untouchables." "If you do not remove untouchability and ask for liberty, you are fools and you pretend to be philosophers."

The resolution moved by Dr. Satyapal was then put to vote and carried, only a few voting with Hasrat Mohani.

#### American's Tribute to Mahatmaji.

Mrs. Naidu then introduced Professor Holmes of U.S.A. whom she described as the American Ambassador who had come to tell them that America was looking to India to get her freedom as speedily as possible. (Applause).

As Professor HOLMES rose from the dais towards the rostrum, dressed in English clothes and wearing a white Gandhi cap, he was cheered. He said he could not claim in an official way to represent America. He belonged to the Society of Friends known as Quakers and was a member of the Federation of Labour. He could unofficially claim to speak for his Society and labourers and in those two capacities he was there to express sympathy and interest of the American people for the service of humanity as well of India that the Congress had undertaken and especially American affection and loyalty for the great leader who had risen among them. (Applause). "Yesterday I heard Dr. Abdur Rahman claiming Mr. Gandhi as a South African. May I not to-day claim him for the world? (Applause). May I not say that the Society of Friends which I represent regard him with the same reverence and believe in his work as you do? (Hear, Hear). I ought to say that we people have been very far wrong in our western civilization. We have gone too far in the pursuit of wealth and power. It is a deep evil in our whole western civilization. Our love of wealth has resulted in the concentration of wealth among some and has caused labour troubles. Our longing to the west for power has brought on war after war and seems likely to plunge into still further war until perhaps it destroys our civilization. So we gladly turn to you who are indicating another and better way and we hope that while keeping good things in our civilization regarding the power over nature and inventions we should follow the brotherly spirit which is represented by the great prophet among you (applause)."

"It would be presumptuous for me to say anything about the problems before you but let me say that no one brought up in U.S.A., however he or she might have gone wrong, can fail to be touched and thrilled by every movement for human freedom and for the liberty of the people of the world (applause).

#### 7.—The Political Programme

At 5-45 p.m. Pandit Motilal rose amidst cheers to move the main

resolution of the session outlining the political programme. The following is the full text of the resolution as amended by the Subjects Committee.

"This Congress confirms Part B of the resolution passed by the All-India Congress Committee, at the meeting held at Patna, on the 22nd and 23rd September last, and resolves that the Congress do now take up, and carry on, such political work as is necessary in the interest of the country and, for this purpose, do employ the whole of the machinery and funds of the Congress, save and except such funds and assets as, under that resolution, have been declared to belong to the All-India Spinners' Association, and such funds and assets as may be ear-marked.

"This Congress reiterates its faith in civil disobedience as the only effective weapon to be used, in the last resort, to enforce the national honour; but realizes that the country is not now ready for it; and in view thereof, this Congress resolves that the guiding principle, in carrying on all political work, shall be self-reliance in all activities which make for the healthy growth of the nation, and resistance to every governmental or other activity that may impede the nation's progress towards Swaraj; and this Congress adopts the following programme of political work:—

"(1) The work in the country shall be directed to the education of the people in their political rights and training them to acquire the necessary strength and power of resistance to win those rights by carrying out the constructive programme of the Congress, with special reference to popularising the spinning wheel and khaddar, promoting inter-communal unity, removal of untouchability, ameliorating the conditions of the suppressed classes and removal of the drink and drug evils; and shall include the organisation of villages, the capture of local bodies and the promotion of education on national lines and of labour, both industrial and agricultural, the adjustment of relations between employers and labour, and between landlords and tenants, and the general advancement of the national, economical, industrial and commercial interests of Indians, both in India and Overseas.

"(2) The work outside the country shall be directed to the dissemination of accurate information.

"(3) This Congress adopts the terms of the settlement offered by the Independent and Swarajya Parties of the Assembly on the 18th February, 1924, and incorporated in its resolution of the same date, as terms on behalf of the country, and, having regard to the fact that the Government have so far not made any response even to the said offer, the following further action shall be taken—

"(1) The Swarajya Party in the Assembly shall, at the earliest opportunity, invite the Government to give their final decision on the said demand, and in case no decision is announced before the end of February, or the decision announced is held not to be satisfactory by a special committee consisting of the Working Committee of the Congress and the members named below, the party shall by adopting the proper procedure, intimate to the Government on the floor of the House, that the party will no longer continue to remain and work in the present legislatures as heretofore, but will go into the country to work among the people. The Swarajist members of the Assembly and the Council of State will vote for the rejection of the Finance Bill and, immediately after, leave their seats. The Swarajist members of such Provincial Councils as may be in session at the time shall also leave their seats and report themselves to the Special Committee aforesaid, for further instructions. Swarajist members of such Councils as are not in session, at the time, shall not attend future meetings of the said Councils, and shall, likewise, report themselves to the Special Committee.

"(2) No member of the Swaraj Party in the Council of State, Legislative Assembly or any of the Provincial Councils shall thereafter attend any meeting of any of the said legislatures, or any of their committees, except for the purpose of preventing his seat from being declared vacant, provided that it shall be open to the special committee to allow the Swarajist members of any legislatures to attend the said legislatures when such attendance is, in its opinion, essential for some special or unforeseen purpose, and provided also that, prior to their being called upon to leave their seats, it shall be open to the Swarajist members of the various Legislatures, to engage themselves in such activities in their respective legislatures as permissible to them under the existing rules of the party; ,

"(3) The special committee shall immediately on receipt of the reports mentioned in Sub-clause (1), call a meeting of the All-India Congress Committee to frame a programme of work, which shall be carried out by the Congress and the Swaraj Party organisation in co-operation with each other throughout the country;

"(4) The said programme of work shall include selected heads of the general work mentioned in Clauses (1) and (2) above, as also the education of the electorates in the policy herein laid down, and shall indicate the lines on which the next general election is to be run by, and in the name of the Congress and state clearly the issues on which Congressmen shall seek election ;

"The Congress hereby authorises the Provincial Congress Committees to select candidates for the Provincial Legislative Councils and the Indian Legislative Assembly in their provincial areas for the general election next year, as early as possible, provided that the policy of non-acceptance of offices in the gift of the Government shall continue to be followed until a response to the terms of settlement aforesaid is made by the Government.

"(5) In the event of the final decision of the Government, on the terms of settlement of the Assembly, being found satisfactory and acceptable by the aforesaid Special Committee, a meeting of the All-India Congress Committee shall forthwith be held to determine the future course of action.

"(6) Until the Swarajists leave the legislatures, as herein provided, the constitution of the Swaraj Party and the rules made thereunder shall be followed in the legislatures, subject to such changes as may be made by the Congress or the All-India Congress Committee, from time to time ;

"(7) For the purpose of starting the work under Sub-clauses (3) and (4), the All-India Congress Committee shall allot such funds as it may consider sufficient for the initial expenses of the necessary propaganda in that behalf ; but any further funds required for the said purpose shall be raised by the Working Committee or, under its directions by contributions from the public."

Pt. Matlal spoke for little less than an hour in Hindi mainly explaining the provisions of his long resolution for the information of the delegates who had not been yet supplied with the Hindi version of it. He said he knew the resolution would be strenuously opposed by some. He would, therefore, reserve his arguments for the final reply, but he emphasised that since the Gaya Congress this was the first time that a resolution was moved representing the common demands of the two wings of the Congress. It had come before the Congress in the shape he was putting it forward after undergoing many alterations and after a stiff fight in the Swaraj Party Council and Congress Subjects Committee.

#### PANDIT MALAVIYA'S AMENDMENT

Pandit MALAVIYA then rose amidst cheers to move his amendment, which was supported by Mr. M. R. Jayakar. Pandit Malaviya's amendment proposed considerable alteration in the main resolution :—

Firstly, it omitted the para referring to Civil Disobedience.

Secondly, it amplified the Congress programme of political work, by including in it the following : "That the work in the legislatures shall be so carried on as to utilize them to the best possible advantage for early establishment of full responsible Government, co-operation being resorted to when it may be necessary to advance the national cause and obstruction when that may be necessary for the advancement of the same cause."

This suggestion, Pandit Malaviya said, embodied exactly what Lokamanya Tilak and Deshbandhu C. R. Das had stated in their speeches at the Amritsar Congress in 1919. Lokamanya Tilak had said : "We shall utilize the Reforms Act to the best possible advantage, and Mr. C. R. Das had said : "We shall co-operate when it may be necessary to advance the national cause, and shall obstruct when that may be necessary for the advancement of the same cause."

did from a land of religious mysticism. But for the wonderful co-operation and kindness shown to him it would not have been possible for him to hold the place of the President or to conduct the proceedings in the way in which he had conducted them. Such warm and whole-hearted co-operation he had from the delegates in full measure both in the Subjects Committee and in the open Congress. He was thankful to Pandit Malaviya for attending this session of the Congress. The very warm words in which he proposed the vote of thanks to the President really touched him and he, the speaker, wished he deserved all that had been said of him. He did not think he had acquitted himself in the same way as Srimati Sarojini Devi, the poetess and eloquent orator, had acquitted herself in the previous year, for he was only a prosaic Tamilian. But he was a business man and so during those two days they were able to pass business resolutions. His address, his friends informed him, was moderate. He was glad that they had taken the address in the spirit in which it was meant. His moderation consisted in allowing people to come together. The great difficulty among them all was that they misunderstood one another. He believed that the heart of every Indian was beating truly for Swaraj. Misunderstandings of various descriptions cropped up, linguistic, religious and personal. Those misunderstandings were exploited by the foreign bureaucracy. The fight among Indians commenced after a decision had been reached. It should be before the decision was arrived at. After coming to a decision every body should give effect to it and not disobey it. That was the request he would make to his friends assembled there.

He would now urge upon them to remember three or four things. The first feature of this year's Congress was that every one in India recognised that the revision of the constitution was impending and that was the main reason why everyone desired union. Nobody should make union impossible by lowering the quality of moderation. Let not any body imagine that others desired to hold different views for their personal ends. Those who believed that khaddar would lead to Swaraj misunderstood those who thought that Councils would be helpful. Similarly with regard to Hinduism and Mahomedanism. All those things should be kept in their proper place. If religious traditions were to be kept pure, they must occupy the high plane and must not be brought down to the realm of controversial politics. Religion must be dissociated from politics. Again, the curse of India was to start a compromise even at the beginning of a fight. Compromise could be thought of only after the fight had proceeded to a certain extent. The release of political prisoners was a condition precedent for the acceptance of office, but not the sole condition. If that was the sole condition, the Government would always put a number of people in jail. The release of political prisoners was an indispensable condition for honourable co-operation, but ought not to be the sole condition. The release of Bengal detainees must not be treated as a provincial matter but an All-India one. Every Province must be equally interested in the release of political prisoners. It was easy enough to say that they should work the constitution and lower the flag of revolt. That had been tried in the past and they found out that they had really strengthened the hands of the Bureaucracy. On the question of Hindu-Muslim unity he said that Hindu-Muslim differences should be composed by preaching constantly Hindu-Muslim unity. There must be a common programme in the working of which Hindus and Mussal-

mans should join. Then they would forget the difference. This year there would be a more serious attempt made to give effect to the Cawnpore constructive programme reiterated in Gauhati.

He congratulated the Congress on their passing the amendment relating to habitual wearing of Khaddar. Khaddar was really helpful to the attainment of Swaraj, but he did not attach as much importance to Khaddar as Mahatma Gandhi did. Without it, however, they could not get sufficient discipline. They should, therefore, spread the Khaddar movement more largely than they had ever done before. He also congratulated them on their passing the resolution on the Currency question which certainly required consideration. The Working Committee would deal with it in such a way as it thought fit.

In conclusion, he asked them to constantly dream of Swaraj. They should make Swaraj their religion till they got freedom for the country. It was not a matter for argument but of faith. If they imagined they would not get Swaraj and if they were diffident, that itself disentitled them to Swaraj. They should be confident of getting Swaraj. He did not agree with those who thought that Council work would be able to achieve nothing. It had captured the strategic positions which were necessary for the maintenance of the bureaucracy. Without work in the Council it would be impossible to do work in the country and vice versa. He was thankful that Mahatma Gandhi attended this session of the Congress and actively took part in it. He did not know whether Mahatma Gandhi would lead them once more if they contributed their share of the work, if they made Council programme and the programme of work in the country an efficient and businesslike programme. Mahatma Gandhi with his capacity for adjustability and with his business ability would certainly come and lead them. Council members should take interest in the constructive programme and Congress members outside the Council should take interest in the Council programme. This session of the Congress had witnessed such fusion of parties. The Independent Congress Party, led by Pandit Malaviya, was visibly fusing itself with the Swarajists. He had not the slightest doubt that Pandit Motilal Nehru and Pandit Malaviya would be able to give battle to the Bureaucracy in a better way than they had been able to give within the last three years. He did not think that in the local Councils the prospects were gloomy at all. Non-acceptance of office by Swarajists would solve many problems. To his mind Khaddar, Councils and the volunteer movement would help them in winning Swaraj. He appealed to them to give all possible support to the movement that they could (cheers).

The Congress was then dissolved.



# NINTH SESSION OF THE National Liberal Federation

AKOLA — THE 27TH DECEMBER 1926.

The ninth session of the National Liberal Federation commenced at Akola on the 27th Dec. under the presidency of Sir P. S. Sivaswami Aiyar. There were about 400 persons present in the pandal including delegates from several provinces and visitors and a number of ladies. Prominent among the delegates present were Sir Chimanlal Setalvad, Mr. C. Y. Chintamani, Mr. Jatindra Nath Basu and Mr. Sudhansu Mohan Bose of Calcutta, Pandits Hridaynath Kunzru and V. M. Tewari, and Mr. Krishna Rao Mehta from the United Provinces, M. Hridaydutt Sharma from the Punjab, Mr. Swaminarayan Shahu from Bihar, Messrs. G. K. Devadhar, J. R. Gharpure, N. M. Joshi and V. K. Mainkar from Bombay, Messrs. S. G. Vaze, D. V. Ambekar, Mr. and Mrs. Gadgil, Rao Bahadur Kale, Mr. K. S. Jathar from Poona, Rao Bahadur V. R. Pandit Jayabant Kelkar Bamvale from the Central Provinces, Rao Bahadur Mudle Brahma Khare, Mr. J. B. Deshmukh, Professor Bhanu and others from Berar.

## The Welcome Address.

Rao Bahadur DAMLE, in his welcome address, made a lengthy review of events in political India since the Indian Mutiny of 1857. Rao Bahadur Damle, referring to the Sabarmati Pact, said :—

"In the first week of May, 1926, the compromise failed and the Swaraj and Responsivist parties remained the two militant parties in the Congress. The imperious mandates to walk out and walk in to the Congress members in the Central and Provincial Legislative Councils by the Swaraj executive committee and the literal execution of these mandates by the members so enjoined, lowered the Swaraj Party's activities in the public estimation and there is no knowing when the smouldering fire of disagreement may kindle into flames and destroy the apparent amity which is being kept up with great efforts in the working of the Congress programme. One dominant result of the Swarajist tactics which has largely weaned public sympathy from them is the actual suspension of Reforms in Bengal from 13-6-25 to 21-1-27 and in the C. P. and Berar from 20-5-26 to 31-1-27. No manner of reasoning can satisfy an inquiring mind that the Swarajist methods appeal to the general public as calculated to serve the best and true interests of India.

## The woes of the Liberals.

"During the period of trouble and anxiety as shown above, the Liberal party had an arduous task to perform. It had to raise its voice of vehement protest against the repressive measures of the Government, to vigorously expose it to true light and maintain the incongruity of the unworkable part

of the scheme of reforms and incessantly but fearlessly combat the futile dissemination of doctrines of non-co-operation, mass civil disobedience, boycott of Councils, Law Courts and Government educational institutions. The Government looked upon the Liberal party with distrust and perhaps with serious misgivings when it unsparingly condemned the Government measures of repression and infamous massacre of the innocent hundreds in the Punjab. The people in the country on the other hand called it by bad names, denounced it as a snake in the grass and as a band of traitors to the country. Foully deprecated and held up to wanton ridicule, the Liberal party was driven to a position which became intolerable. Deprived of all sense of respect for age, education, social standing and eminent public service students and crowds of people ingrained with rowdiness could freely mob public speakers on public platforms. What stormy scenes such high personages as Dr. Besant, the Rt. Hon. V. S. S. Sastri and Sir Surendra Nath Bannerjee had to face during this period of public unrest and tense disaffection towards the Liberals is a matter well within our memory. This was primarily due to the fact that the cult of Gandhism as misinterpreted by the people reigned supreme all over India. The Liberal party withstood with fortitude and forbearance all the rebuffs, ridicule, calumny and misrepresentation, and patiently maintained its ground boldly, firmly and persistently, fully fortified as it was in its correct outlook of the situation by the strength of its convictions.

"Both wings of the Congress as it originally stood came to be distrusted and therefore unheeded by the Government. This was and is altogether an undesirable result. It is undeniable that all the political workers in India whether they are inside the Congress or outside, and whether they belong to some group or another, are animated with the same motive to do devoted service to their Motherland and are fired with the same righteous and noble sentiment of patriotic love for India. They have honestly been seeking out the surest way to carry forward the political status of India to the highest altitude attainable as early as possible. They are agreed also as to the practical limitations within which their activities have to be carried on. In this state of things each right-minded patriot has to place the true interest of his country above his self or party considerations. In the heart of his heart every sensible Indian cherishes and must cherish a rapid advance of his country to the destined goal namely, responsible Government or Swaraj. For an early realisation of this object a concentration of forces from all sides is required to be applied in the right direction. Any move or force which retards this onward march in the direction marked out has to be scrupulously avoided. The road is one and the same. It must be clear to everyone who has to use it, and he must vigilantly keep it in sight despite the elusive effects of a temporarily stormy atmosphere or foggy weather. Deviation from the right path means so much waste of energy and consequent delay in reaching the destination. Those who lose their path and in their stray wanderings ask their fellow workers to join their company require more guides to bring them back to the right path, and this necessarily entails delay. Perhaps it may amount to an act of immodesty or impertinence on my part—an humble co-worker in an obscure corner of the country devoting his attention to the study of politics—to go out of his limited groove and to criticise the value and propriety of the counsel which the widely acknowledged leaders of the non-co-operators and the Swarajists are deliberately giving to the country. That higher task of responsibility and superior authority I

must leave to abler and worthier hands. I shall, however, content myself with asserting my honest conviction that the activities of the Swarajists and non-co-operators in the country are proving a serious handicap to the smooth and orderly progress of the country along the right path."

Proceeding the Rao Bahadur said :—"The Government of India Act 1919 expressly prescribes a definite procedure for the determination of India's claim to a further and larger measure of responsible self-Government, and provides that the statutory commission as its accredited agent will investigate the merits of the claim and report its recommendations to the British Parliament for final determination. Can it be in any way possible for the Swarajists and non-co-operators to avoid the prescribed procedure? They are not in a position to deny the binding force of the Act. Much less can they question the authority of the British Parliament to determine the merits of the claim. India will be on her trial before the Royal Commission which will come out to India in 1929. If the Swarajists and non-co-operators who pose themselves as the real representatives of India purposely keep out and avoid ventilating their just grievances, who will suffer? Can they afford to treat so lightly this grave situation? Can they not cast aside their personal sense of displeasure or dislike and give up their attitude of wrecking or obstructing the reforms, for the sake of their country which they love so dearly and in advocating and furthering whose cause they are and ought to be prepared to make the largest personal sacrifice demanded of them? The claims of India will have to be presented before the Commission as strongly as possible with united will and purpose. Shall I be appealing in vain to my fellow countrymen when I imploringly beseech them to rise to the occasion to prove themselves to be the worthy and loyal sons of India and to work whole-heartedly, lovingly and unitedly to press India's claims on the attention of the Commission in the best and most effective manner? I feel confident that petty party quarrels and differences will not prevent them from the performance of their clear duty to their country. Shall I be fruitlessly invoking their goodwill and co-operation in the heavy and responsible task ahead of us which will require the full measure of energy and attention from the best and most capable brains in India, no matter what way their inclinations lie? The country's need transcends all personal difficulties and grievances. Let us then forget the past, forgive the ills and misunderstandings, forgive the wrongs, real or imagined, and sincerely join hands solely to throw our heart and might into our country's cause and win it easily and successfully with one mind and aim,"

#### Hindu-Muslim Unity.

Dealing next with the Hindu-Muslim question, Rao Bahadur Damle observed : "It is now common knowledge how Turkey has emerged from war and in the light of the world knowledge the Angora Republic has shaken off the hold of old religious notions, ideals and prejudices. With the Turks religion does not stand above politics. Its claims on its followers have been subordinated to those of the State. In India, however, the same old notion is sticking in full force and the Mahomedans continue to attach to religion a higher place than to the duty towards the State. Their idea, as it appears to the outside world, seems to be that humanity has come into being and exists for the service of religion. With due respect to this religious doctrine which it is nobody's right to meddle with, it will be admitted on all hands that a substantially major part of the Mahomedan

everyday life is engaged like that of the non-Mahomedan population in attending to non-religious matters of purely worldly importance and in their life-long continuous associations with their fellowmen of different faiths they have very rare occasions to reflect the peculiar impress of religious preachings on their everyday actions and dealings. As men of the world, therefore, they have to subordinate the demands of religion to those of social and political duties." Continuing the speaker said: "The religious truths so far as they are divine claim common allegiance and homage from humanity as a whole. That being so the apparent points of antagonism discernible in what may be strictly deemed to be mere outward conventional appendages should not be regarded as of great significance and value. They may be made adjustable to suit varying needs and circumstances; such adjustment does not affect the high divine truths. It behoves the leaders of both the communities, therefore, to seriously consider the religious aspect of the situation and to find out a workable formula in practice to avoid the outbursts of religious passion and consequent communal disturbances."

#### The Non-Brahmin Movement.

Turning to the Non-Brahmin movement the Rao Bahadur pointed out:—"The assertion of individual rights is always welcome but higher social duty demands that the assertion of the right or its exercise need not be expressed in an offensive tone or manner. Further, the recognition of this right must be free from feelings of hatred and animosity. The Non-Brahmin agitation set on foot in some places assumes form which is distasteful and offensive and instead of winning public applause alienates public appreciation and sympathy. My earnest appeal to those who are leading this agitation is that they should guide its course so inoffensively and decently that it engenders no feeling of hatred, annoyance or disrespect towards the Brahmins as a class."

#### Election of the President.

Sir Chimanlal SITALVAD then proposed Sir Sivaswami Aiyar to take the chair. In doing so he said, since they separated from the Congress nine years ago the Liberals had demonstrated their usefulness in forming a separate organisation during these nine years. Though misrepresented, maligned, and abused the Liberal Party had pursued its principles and followed what it thought to be right in the real interest of the country and it was gratifying that slowly but surely the country was coming to realise that real salvation lay in following the principle advocated by the Liberal Party and not in following the claptrap of the people who promised Swaraj in a year or a month by plying the Charka and following the doctrines of civil disobedience and non-co-operation. The recent elections had also afforded them considerable encouragement and he instanced the overwhelming majorities secured by many of the adherents of the Liberal creed. He urged that the Liberal Party should be more active throughout the year in preaching its creed and it was sure to find more supporters. It only required steadfast working and firm belief in their principles to make them acceptable to the general population. Sir Chimanlal then referred to the large administrative experience of Sir Sivaswami, his work in connection with the Muddiman Committee and his high political sense and commanded him to take the chair.

Mr. C. Y. CHINTAMANI, is seconding the election of Sir Sivaswami to the chair, said that during the eight years since the old Congressmen deemed it necessary to separate themselves from that organisation and form a Liberal Party, there was none more uniformly loyal and faithful to the principles of the party and more constantly helpful to everyone connected with the party than Sir Sivaswami. He remembered his highly instructive Presidential Speech at Calcutta in 1919 and few at that time hoped that the Liberal Party would survive so long in spite of its numerical weakness. What change in public feeling had taken place since in their favour and what useful work they had been able to do was due in no small extent to Sir Sivaswami, lawyer, educationist, scholar, upright statesman, and patriot whom they claimed not only as a leader, but as a teacher. This year the Liberal Federation met in circumstances more critical; speaking with reference to its own internal affairs, than hitherto, and they required the help of a politician of great foresight and insight to give them a sagacious lead.

Mr. Jatindranath BASU, in supporting, said that Sir Sivaswami Aiyar had been all his life a great worker in India's national progress, having particular interest in the military organisation of the country for which India had been depending on an alien power. It was fortunate that they had Sir Sivaswami to lead their deliberations at this their critical stage.

After Mr. Pandit had also supported the election of Sir Sivaswami the proposition was carried with acclamation.

### The Presidential Address.

Sir Sivaswami Aiyar then rose to deliver his long Presidential Address. The following are some of the important extracts from his speech :—

#### Liberal and Swarajist Creeds.

Let us now turn our eyes to the position of our own party. From the very moment of the inauguration of the reforms we adopted the view that, while the reforms fell short of our expectations and were defective in many respects, they marked a substantial step in advance of the previous state of things and that we were bound to work the reforms for what they are worth. The reforms opened to us new opportunities for useful constructive work and we felt we were not justified in throwing them away in a fit of sulkiness. There were imperfections inherent in the very structure of the scheme of the Act. There were difficulties created by the rules framed under the act and by the manner in which they were worked by the Governors. There were also difficulties created by the exceptional financial stringency which prevailed during the first term of the Legislative Councils. In spite of all these impediments we resolved to work the reforms in a spirit of co-operation with the Government. We were prepared to demonstrate our fitness for further advance by the success with which we could work the constitution. The goal of political parties in India is no doubt the same, but there are only two ways of attaining it—either with the consent of the British nation and Parliament or against their wishes and by force of arms. The latter method is so obviously impossible that no party in India has advocated it. But, as a substitute for a revolution by force of arms, the weapon of non-violent non-co-operation has been suggested. From the beginning we pointed out the dangers of the policy of non-co-operation and the difficulty of maintaining non-violence. The numerous outbreaks of violence that followed the inauguration of this policy have abundantly justified our warning. The enquiry made by the Congress Committee showed that the country was not prepared for mass civil disobedience. The policy of non-co-operation originally included the boycott of councils as well as schools and law courts. The boycott was a complete failure and the Swarajist party was then started with the object of wrecking the councils from inside. The policy was adopted against Mr. Gandhi's own advice and soon found to be impracticable. The Government of India Act has been framed with sufficient foresight to provide against all dead-locks which may be created by would-be wreckers and the Swarajist party has learned how impossible it is to wreck the constitution or bring the machinery of administration to a standstill.

## Swarajist Failure.

The leader of the Swarajist party was obliged to confess during the last Delhi Session of the Assembly that the party had failed to achieve its object. He said that he had no further use for show institutions like the Assembly and that the least they could do to vindicate the honour and self-respect of the nation was to get out of them and go back to the country for work. He said that in the country they would try to devise those sanctions which alone could impel any Government to grant the demands of the people. He hoped and trusted that the nation would give a suitable reply to the truculent rejection of their demands and would send them again in larger numbers with a stronger mandate and, God willing, with the sanction for fulfilling its aspirations and enforcement of its commands. It is perhaps not strange that show institutions have a great fascination for the Swarajists and that they have again decided to enter the show-halls. The Swarajist party has not been returned in larger numbers except in Madras. May we ask what new weapons the learned Pandit has forged and what sanction for enforcing the commands of the people or of the Swarajist party he has secured? The sanction which he darkly hinted at could only be the sanction of mass civil disobedience. We wonder whether the country has since the 8th of March, 1936, been secretly or openly prepared for mass civil disobedience and whether it is any more fit to resort to this weapon than it was when the Congress Committee submitted its report. Knowing, as the Swarajists must do, that the country is not prepared to follow them in the stunt of civil disobedience, their talk of sanctions is meaningless and can only be sheer bluff. Many members of the Swarajist party cherish the belief that bluff may deceive the British people. But the British Government has been sufficiently long in this country to be able to distinguish between bluff and effective threats and prominent statesmen in the seats of authority have repeatedly warned us that, while the British Parliament would be willing to carry out its promises, it would never make any concessions to menaces or violence.

## Changes of the Congress Creed.

The creed of the Congress party has undergone many changes. They have climbed down from their heights of non-co-operative aloofness to participation in the work of the councils. They have climbed down from a policy of uniform, continuous and consistent obstruction to a policy of supporting some at least of the measures for the benefit of the people. It is not however likely that the Swarajist party as a whole will abandon their infructuous policy and return from the barren wilderness to the paths of common sense and wisdom.

## The Revolt of the Responsivists.

With the robust good sense and grip of actualities which is characteristic of the Maharashtra community, they have led a revolt against the fatuous policy of the Swarajist party and succeeded in forming the party of Responsive co-operation. We welcome the formation of this party which has practically adopted our creed, though it has not joined us and seems to fight shy of the name "Liberal". In what respects the creed of this party differs from ours and what its distinguishing characteristics are, I have not succeeded in ascertaining. But I prefer to dwell upon the large measure of agreement between their views and ours rather than upon any differences. All honour to the leaders of this revolt and I offer my felicitations to Mr. Kelkar, Mr. Jayakar, Mr. Aney and other leaders on the conspicuous success which has attended their efforts. The formation of the Responsive Co-operation party is really a triumph of the principles for which the Liberal party has all along stood.

It is an irony of fate that, while the principles for which the Liberal party has stood have been slowly gaining recognition, the party itself should have fallen into disfavour with the people. But the explanation is not far to seek. In the first place, the policy of moderation does not appeal to the popular mind in the same way as a policy of extremist. A member of the Moderate or Liberal party, who is prepared to look at the different sides of a question and make allowances for them all, can never indulge in the same sweeping statements and denunciations, as a member of a party which refuses to look at the other side of the question or face realities and is prepared to recommend short-cuts, however dangerous, to the end in view. The Liberal party cannot possibly make specious promises of a millennium to be attained in months or weeks and can neither attribute all the evils under which the country is suffering to the foreign domination nor refuse to recognise the benefits that the country has derived from the British connection. In the second place, the Congress party owes an immense portion of its prestige to its association with the personality of Mahatma Gandhi. They have exploited

his influence to the utmost and profess to be followers of his impracticable constructive programme which a large number of them do not believe in. Witness, for instance, the use of khaddar on ceremonial occasions and the borrowing of khaddar clothing just before entering meetings of Congress Committees. Again, the Swarajist party has had the advantage of the widespread organisation of the Congress and its prestige. Having entered the temple of non-co-operation as worshippers they have quietly dethroned the simple-minded "Mohant" who is satisfied with the nominal allegiance and lip-homage of its followers. We have also to contend against the odium which has been sedulously created in the country against all persons who co-operate with the Government in any measure. The action of the Government in enhancing the salt tax by certification led the people into the belief that a policy of co-operation with the Government had no effect in restraining the Government from unpopular legislation. And let me finally add an observation borne out by our experience of social psychology that parties bent upon destruction display far greater zeal and energy than parties interested in construction or conservation. It is no wonder that under all these difficulties our party fell into disfavour with the people. We shared the unpopularity of the Government and got no credit for our achievements in the first term of the Legislative Assembly and Councils.

Our party lost heart and failed to cope with the situation. Our lack of enthusiasm and our woe-begone sense of despair are responsible for the present plight of our party. Parties with vastly larger funds and followers and far more efficient organisation like the Liberal party in England have suffered greater disasters. But, firmly convinced as we are of the soundness of our principles, we may with confidence look forward to a brighter day for the party of constitutionalism, by whatever name it may be called. Our party has had no occasion to revise its creed and is the only party in the country which has been throughout consistent in its principles. The fact that an influential section of the Congress has adopted the creed of Responsive co-operation is the best proof of the soundness of our creed. The dangers that we predicted as the result of a policy of non-co-operation have been raised. Beyond producing a spirit of distrust in the sincerity and intentions of the Government and beyond weakening the sense of respect for law and order, the policy of the Congress party has been barren of any results whether by way of constructive or destructive work. It passes my comprehension that men of light and leading like many of those who are members of the Swarajist party could still believe in the efficacy of their methods of attainment of Swaraj.

#### The Conditions of Further Advance.

Now that the time for the appointment of the Statutory Commission is approaching, it is to our interest to prove our fulfilment of the conditions of advance laid down in the preamble of the Government of India Act and in the speeches of British statesmen from time to time. Our Swarajist friends appeal to the doctrine of self-determination and ask what right one nation has to judge of the fitness or otherwise of another nation for responsible Government. Whatever may be the justice of this contention in the abstract, there is no wisdom in refusing to face hard facts. The British Government is ruling over the country and has no intention of leaving it, unless the Parliament is satisfied that the conditions imposed have been fulfilled. The British Government is the master of the situation and is not prepared to yield to any threats. The Congress party wished to make the position as hot and uncomfortable for the Government as possible so that they might yield to our demands and they have admittedly failed. There is a dictum of Hindu Law that facts cannot be altered by a hundred texts. To refuse to recognise the stern logic of facts may be a heroic pose but is not consistent with common sense. It would be not merely a peaceful but an easier road to the attainment of Swaraj to so shape our policy that we shall be able to satisfy the Statutory Commission that we have fulfilled our part of the bargain.

So far as we can judge from the utterances of British statesmen, the main point upon which they desire to be satisfied is our willingness to co-operate with the Government in working the reforms introduced in 1921. It is laid down in the preamble of the Government of India Act that the action of Parliament must be guided by the co-operation received from those on whom new opportunities for service will be conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility. The Commission to be appointed under the Statute will be charged with the duty of inquiring into the working of this system of Government and reporting whether and to what extent it is desirable to establish the principle of responsible Government or to extend, modify or restrict the degree of responsible Government existing at the time. We have from time to time pressed for the acceleration of the appointment of the Statutory Commission. Signs are not wanting of a disposition on the part of British statesmen to

advance the appointment of the Commission. One can see a marked change in their utterances and a tone of greater willingness to appoint the Commission earlier. From the point of view of those who consider that India has been and is already fit for responsible Government, the delay on the part of the Government in yielding to our demands for reconsideration and further advance is held to justify a suspicion of their intentions.

Let us, however, look at the other side of the shield and put ourselves for a moment in the position of the British statesmen. In the very first year of its existence, a resolution was moved in the Indian Legislative Assembly for the establishment of autonomy in the provinces and the introduction of responsibility in the Central Government. Eventually, it was passed in an amended form requesting the communication to the Secretary of State of the view of the Assembly that the progress made by India in the path of responsible Government warranted a re-examination and revision of the constitution at an earlier date than 1929. May it not be said with some show of reason that the resolution was premature and need we wonder at the reply of Lord Peel that the new machinery had still to be tried in its working and that the merits and capabilities of the electorates had not been tested by time and experience? A resolution was again moved in 1928 by Dr. Gour and in 1924 a resolution was passed on the motion of Diwan Bahadur Rangachariar recommending the early revision of the Government of India Act.

While these resolutions show that the Legislative Assembly did not relax its efforts to secure a revision of the constitution, the view of English politicians that these attempts were premature or indicated impatience cannot be regarded as unnatural or as indicating an intention on their part not to honour the promises of the Parliament. When the Labour party which is the most friendly to us came into power, the Premier, Mr. Ramsay MacDonald, declared in his message to India that no party in Great Britain would be cowed by threats of force or by policies designed to bring the Government to a standstill. He urged upon all the best friends of India to come nearer to Britain rather than to stand apart and get at the reason and goodwill of the British.

I now pass on to another difficulty pointed out as one of the hindrances to the attainment of responsible Government, viz., the control of the defence. The difficulty is not one of our creation. It is the Government which is responsible for our present inability to take charge of the control of the defence of our country. It is only after the great war that the Government have professed any sympathy with the aspirations of Indians to enter the higher military ranks and their professions of sympathy have not yet been materially translated into practice. Even at the present moment, there is no evidence of any concern or desire on the part of Government to make this country self-sufficient in the constitution and organisation of its defensive forces. The British Government is quite alive to the value of the resources of India in man-power for the army but has no wish to utilise Indian talent for the officering of the Indian army in the same or even in any appreciable measure. Reforms in the direction of Indianisation are an uphill task even in the civil services of the administration but they are far more so in the military services. No one, who is acquainted with the long delays of the Government of India and of the Imperial Government in arriving at a decision on proposals relating to the training of the people for defence, will wonder at the popular dissatisfaction thereby caused. The Report of the Territorial and Auxiliary Forces Committee was submitted to the Government in the beginning of last year and the orders of the Secretary of State are still awaited. The establishment of an Indian Sandhurst at an early date was recommended to the Government so far back as 1921. It was only in 1925 that the Government was prepared to take action even to the extent of appointing a committee to consider the subject. The Skeen Committee is said to have just concluded its labours and submitted its report to the Government of India. How many months or even years the Imperial Government will take to pass orders on the subject we cannot forecast. All the more important resolutions of the Assembly with regard to the Indianisation of the Army have either not been carried out yet, or been refused. Though the Air Force will play the most important role in future warfare its doors are closed against us as in other important branches of the army. The scheme of a Royal Indian Navy is in a process of slow embryonic development.

#### The Real Reasons.

While we cannot acquit the Government of blame for our past helplessness in the matter of defence, it is not difficult to understand the reasons for their unwillingness to embark on any considerable scheme of Indianisation. The Government cannot completely get rid of the old notion that India must be kept by the sword not in the sense of being administered by a system of martial law, but in the sense that the maintenance of British Rule must in the last resort depend not upon the civil administrator but upon the



control of the army. Britain does not mind experiments in the sphere of civil administration, so long as she keeps the army in her control. They feel they cannot afford to Indianise the army, because they do not feel sure what its reactions will be on the maintenance of the British ascendancy or connection. It is this lack of faith in the loyalty of India to the British Empire that is really the underlying motive of the attitude of the Government. There are other reasons also which have no little influence upon the policy of the Imperial Government, though we cannot be expected to sympathize in or attach any weight to them. I may here quote an extract from Sir Valentine Chirol's book on 'India'. It is observed by that fair-minded writer :

"Though the army department may wish now to approach it (question of Indianisation) chiefly from the point of view of military efficiency, it has to reckon with the strong racial objections of British officers to being placed in the position of ever having to take orders from Indian officers. Nor can one ignore the danger of personal friction between the British and the Indian officers with their very different outlook and social habits if they are made to rub shoulders in a common mess-room. But the feeling goes deeper and experienced British Officers, not unnaturally proud of the confidence and even personal affection of their native officers as well as their men, are found to declare that the Englishman's prestige with the native troops themselves will be gone, if they are ever placed under other than British command. Indians whom education has trained to modern standards of self-respect resent deeply such a stigma of racial inferiority."

British statesmen have often acknowledged in the past and are now in the habit of proclaiming that they hold India as trustees for the people. Is it unreasonable to ask whether our self-constituted trustees have ever displayed any consciousness of an obligation to hand over to the people the army which is being maintained at their expense or to train their "cestuis que trustent" to officer and control their military establishment. The Government of India Act declares the policy of Parliament to be to provide for the increasing association of Indians in every branch of the Indian administration. This would certainly include the military as well as the civil branches of the administration. If the British Government as our trustees have made no attempt to prepare us for our responsibility for the defence of our country, it is necessary in our interest and for the credit of our trustees that we should press them to declare and affirm explicitly the goal of their military policy in India and to frame a suitable scheme of Indianisation to enable us to reach the goal within a generation at least.

Concluding Sir Sivaswamy said :

#### Our Relations to other Parties.

The public is often impatient at the existence of a number of parties in the country and believes that if they could all be merged into one and unite their forces, it will be easier to attain the national goal. They are disposed to curse the party politicians and to attribute motives of personal glorification or aggrandizement to them. There are other countries also where new parties have been formed for the purpose of attracting notoriety to the leaders or gratifying their ambition of self-advancement. While the multiplication of parties for such purposes deserves to be deprecated, the existence of vital differences of opinion in matters of principle cannot be ignored. The suppression of such differences in the interests of artificial unity is injurious to the honesty of public life. All artificial unity must share the inevitable fate of bunkam. While it is not possible for the Liberal party to sacrifice its convictions or merge itself in any party which differs in essential principles, we are prepared to co-operate with the members of other parties, wherever it is possible for us to do so on particular questions. It is in that spirit that Mr. Chintamani made gallant efforts in 1925 to bring about a coalition. The failure of his efforts was due to no fault of ours. It will be our duty and our policy to co-operate with any and every party in all questions where we can see eye to eye with them.

#### The Work Before Us.

The oriental has often been accused by Western nations of a tendency to fitful work. There is some truth in this charge. We have our fits of feverish excitement and our fits of apathy and depression. One of the virtues we have to learn from Englishmen is that of dogged perseverance and steady work. Our energies are like our mountain streams, at times flowing in torrents but more often drying up. Our energies have to be dammed up and directed into a steady perennial stream flowing not over the rocky beds of non-cooperation and indiscriminate obstruction, but over the fertile and promising fields of constructive constitutional work and social welfare that remain neglected. Another virtue we have to learn from the Englishman is what has been described as the 'commitment sense.' I will give you one illustration of the lack of it. When the enhancement of the

salt tax to make up the deficit in the budget came before the Assembly, some of us suggested a distribution of the burden under other heads also, like income-tax and customs. We had an informal representative conference of the members of the Assembly and, after an excited discussion for three hours during which the Bombay men would not hear of an addition to income-tax and the Calcutta men would not hear of an addition to the customs duties, we parted without arriving at any agreement and the enhancement proposed by the Government was carried. Let us resolve upon constructive work in the councils of the country and let us realise that with the increasing remission of provincial contributions more funds will be released for such work. In the field of education, co-operation and social reform, there is a vast field of useful work which demands our attention and our energies: The Liberal party in particular has yet to learn the virtues of organisation, of self-sacrifice, personal, pecuniary or both, and of sustained work from day to day and from year to year. Let us not allow our souls to be palsied by despair but work with a courage which will quail before no obstacle and a sturdy optimism which will endure any reverse or disappointment and success is bound to crown our efforts for the welfare and progress of our fatherland.

## Proceedings and Resolutions.

### SECOND DAY—THE 28TH DECEMBER 1926.

#### 1.—Murder of S. Shradhanand.

The National Liberal Federation resumed its session on the next day the 28th December and proceeded with resolutions. The first resolution put from the chair and passed in silence, the audience standing, recorded the sense of horror at the murder of Swami Shradhanand and the loss sustained by the country in the death of the great patriot, educationist and religious and social reformer. Another resolution similarly passed recorded the sense of regret at the death of Sir Krishna Gupta, N. M. Samarth, Rao Bahadur W. R. Dhoble and others.

#### 2.—Indians Abroad.

The next resolution expressing the earnest hope that the Conference between the Delegates of the Government of India and South Africa might result in the repeal of the Colour Bar legislation and securing for the Indian settlers free and full citizenship rights and urging that Indians settled in any part of the Empire should be accorded the rightful position as equal subjects of the King was proposed by Mr. Venkatesh Narain Tewari. The mover after enumerating disabilities said that by these annual protests they could at least show that they were not parties to the iniquities under which Indians abroad were suffering.

Mr. V. N. Deshpande, in seconding, said the real cause of the trouble was that Britishers in the Colonies looked upon Indians as an inferior race. There could be no bargaining for their natural rights. They must have them and hoped the Round Table Conference would be able to solve the question.

The resolution was unanimously passed.

### 3.—Release of Bengal Detenues.

Rao Bahadur Jayavant moved a resolution to the effect that the Liberal Federation strongly reiterates its protest against the continued detention of many persons in Bengal under the Criminal Law Amendment Act 1925 and urges that they should be either set free or tried under ordinary criminal law. The Federation again urges the repeal of the said Act as well as of the Deportation regulations of 1818, 1819 and 1827. The mover said that since this iniquitous measure came on the statute book, the whole of India opposed it and urged for its repeal. The measure was a disgrace to India and should be repealed at once. The opposition to it had not died down as wrongly stated in the moral and material progress of India issued by the Home Department but would continue as long as they were there. He urged that the Bengal internees should either be set free or tried in law courts.

Mr. Jatindranath Basu, in seconding the resolution, said that the British nation claimed to be the most advanced and democratic nation imbued with a high sense of justice with a most advanced system of administration, but looking at these legislative enactments it seemed that India instead of progressing onwards was receding backwards. So many Bengalee youngmen to be kept interned without trial on the information of subordinate police officers was a disgrace to the British administration in India. If the British Government in India had given even small attention to public health and material interest of Bengal than they were giving to the revolutionary movement which was confined to a very small section of the population then there would have been no such movement at all. He hoped that the Government would show greater statesmanship by releasing the internees.

Mr. Digbe, supporting the resolution, said that every province in India felt keenly on the subject. Release of the Bengal internees would go a great way to pacify the political atmosphere of the country.

The resolution was carried with acclamation.

### 4.—Separation of Judiciary and Executive.

The next resolution urging immediate and complete separation of judicial and executive functions and services moved by Mr. D. G. Dalvi, seconded by Babu Surendranath Varma and supported by Mr. V. M. Kelker of Nagpur was carried.

### 5.—Hindu-Muslim Relations.

The next resolution on Hindu-Muslim relations was moved by Sir Chimanlal SETALVAD. The resolution ran thus :—

The National Liberal Federation of India deplores the estrangement of Hindu-Muslim relations, exhorts both communities to make earnest and sustained efforts to bring about better understanding and urges the Government to see that law is enforced with firmness and strict impartiality in all matters likely to engender communal friction."

Sir Chimanlal, in moving the resolution, said that it was a very important matter that all public men in all public institutions had to deal with and unless some method was devised to remove the present undesirable tension between the two great communities all their hopes of placing India in her proper position among the nations and of political advancement were doomed

to failure. The country divided as at present and the two communities full of distrust of each other could never expect to attain self-Government. Already the Hindu-Muslim division had no doubt been very much exploited by the enemy of the country to keep them back, but it was at the same time no use minimising its importance. The speaker then went on giving the causes that had led to the present undesirable state of things. He deplored the conspicuous absence of Mussalmans from their political gatherings of late, both Liberal Federation and National Congress sessions. They had of late begun to regard that they must have their own separate political organisations and their interests to be separately guarded though in their organisations they do nothing different. They make the same demands for political advancement of the country. What was behind this distrust of each other? According to the speaker, the reasons that had engendered distrust were more political than religious and did not appear to be real. He declared that their Hindu leader, Mr. Gandhi, was primarily responsible for the present state of distrust. It was due to one of the many Himalayan mistakes committed by the Mahatma that he chose to mix religion with politics. It was he who dragged in the Khilafat politicians and it was he who encouraged Mahomedans to look to the affairs of other countries as matters more than their immediate interests as citizens of the Indian Empire. However, the fact remains that the interests of Mahomedans in India are Indian. They suffer under the same disabilities and their interests are absolutely identical. It behoved the leaders of the two communities to remove this feeling of distrust instead of emphasising the differences. He deplored the speech of Sir Abdur Rahim at Aligarh last year. Nothing is gained by emphasising the differences but real statesmanship lay in trying to bring both the communities together. He also deplored any utterances of Hindu leaders that might tend to irritate the feelings of Mahomedans in respect of Suddhi and Sangathan movements though, in the speaker's opinion, they were legitimate movements. Sir Chimanlal appealed for a common understanding by removing the apprehension of the Muslims being swamped in any political arrangement about the administration of the country by a give and take policy.

Mr. C. Y. CHINTAMANI, in seconding the resolution, made a feeling speech in the course of which he said it would be more than a platitude if he was to enlarge upon the information on the estrangement of relations between the two communities. Two years ago, the Unity Conference was held in Delhi on the initiative of the then President of the Congress and the late lamented Swami Shraddhanand and was attended by prominent representatives of all communities. That Conference lasted for nearly a week and amply dealt with the various points of disagreement. The Conference left out purely political questions of communal representation in public bodies and public services. The speaker was also going to leave out that aspect of the problem. The conclusions arrived at the Delhi Conference were reasonable and even the Liberal Federation had given its consent. It was a thousand pities that no success had attended those efforts. The position now was peculiar in Northern India, including Bengal. This question agitated more the public mind than music before the Mosque during the last year or so. If the relations between the two communities to-day to all appearances were more unfortunate than they were in the recent past the reason for this situation is to be found in the manner in which the newfangled

demand of the Muslims to stop music before mosques at all times had been dealt with by those in authority. The resolution before the meeting urges the Government to see that law is enforced with firmness and strict impartiality in all matters which tended to communal friction. The clause he said had been in the resolution for good and sufficient reasons. Calcutta delegates and those from U. P. would be able to testify that the attitude of administrative authorities in dealing with such questions left a great deal to be desired. He then referred to the situation in the United Provinces and particularly the Ramlila procession incident at Allahabad where the District Magistrate sought to enforce unprecedented restrictions upon the liberty of the Hindu community to take out the time-honoured procession. The District Magistrate gave out that he would not allow the procession to be taken out unless the Ramlila Committee agreed to take out the procession at hours which would not conflict with prayers in any Mosques situated on public roads. When it was pointed that the Judicial Committee of the Privy Council had laid down that it was the civil right of the citizens to take out such processions subject only to the duty of the Magistrate to make such regulations as in his judgment were necessary for the preservation of public peace, the only reply forthcoming from the Magistrate was that Mussalmans were the most generous and that they did not object to music before all Mosques except two and that Hindus, on the other hand, were not prepared to make any concession to Mussalmans.

Mr. Chintamani then referred to similar highhanded acts of the Magistracy at Aligarh and Etawa and asked if it was worthy of the Government which prided itself upon the establishment of British rule in this country and put forward as its main justification for its continued existence here as the dominant party that it was an impartial arbitrator to keep the peace between warring Hindus and Mahomedans to fail in such a deplorable manner?

The speaker then referred to the memorable speech of Lord Irwin at the Chelmsford Club which inspired them with noble thoughts and assured them that Government Officers in circumstances of exceptional difficulty tried their best and successfully to act with impartiality to prevent or to minimise disturbances. He did not balance the Viceroy for having spoken thus in his first year's regime, but since then attempts had been made to impress on His Excellency that he should no longer be content with what provincial Governments might tell him but that it was at least possible that there are some circumstances when the Viceroy should have made impartial and independent enquiries and tried to arrive at the truth. In this resolution the Government were asked to see that the law was strictly enforced with impartiality. He was personally of opinion that they were on strong grounds in making the accusation against some of the local Government officials. He next referred to the Rajeswari procession in Calcutta and opined that the order was so manifestly unfair that Hindu leaders who always kept aloof from affairs with all reluctance deemed it essential to protest against the Government. In the United Provinces he declared the Government were simply immovable. Hindus of Allahabad asked the local Government not to give an ex-parte judgment but to institute an enquiry and the reply was that no enquiry was wanted. In Delhi, Muslims were given permission to take out the sacrificial cow in procession on the Bakr-Id day in spite of the Hindus' protest. Even Sir Tej Bahadur Sapru was constrained to protest against such Government action.

Concluding, Mr. Chintamani said that the Liberal Party should consider it the first duty to do everything in their power so far as opportunities were opened to them to remove misunderstandings between the two communities but it was also a complement of the same duty that they must not hesitate to tell the Government what they thought of its part in the affairs in the past.

Mr. Mainkar supported the resolution in Marathi which was then carried.

#### 6.—Co-operative Organisation and Army Indianisation.

The next resolution regarding the improvement of the condition of the people by measures of better organisation of the co-operative movement and free and universal education was moved by Mr. N. M. Joshi who emphasised the importance of the work among the masses. He was supported by Messrs. Parthasarathi Iyengar, Dalip Mansingh and R. K. Satarkar.

Pandit Hirdaynath Kunzru moved that the Government should make an explicit declaration defining the goal of British policy to be the making of India self-sufficient in the matter of defence within a reasonable short period and the Government should take effective steps towards the Indianisation of the Army. The establishment of an Indian Sandhurst and reduction of military expenditure were points emphasised by the mover. He was supported by Messrs. J. N. Basu and M. B. Marathe.

Both the resolutions were passed and the Federation adjourned till next day.

#### THIRD DAY—THE 29TH DECEMBER 1926.

The third day's session of the National Liberal Federation of India was resumed at 1-30 in the afternoon.

#### 7.—C. P. Land Revenue Enhancement.

Rao Bahadur K. V. Brahma moved an emphatic protest against the Central Provinces Government in giving effect to the enhancement of land revenue assessment in some talukas against the opinion of the Berar Legislative Committee and even without the Government of India's sanction to the principles of the assessment as required by the Joint Select Committee of the two Houses of Parliament and recommending that the collection should be suspended till the necessary legislation was passed with the approval of the Berar people. The mover urged that taxation should not be based on what was just. He urged that the Government of India should discharge its trust by taking the people of Berar into confidence in fixing the principles of assessment.

Rao Bahadur Mahajani, in seconding, said that Berar was in a peculiar position being neither British nor in the Nizam's Dominions. It had no legislative Council of its own and was helpless. In support of the resolution, he pointed out that agricultural indebtedness in Berar was increasing rapidly and it was impossible for agriculturists to bear the burden of the enhanced assessment.

Rao Bahadur Khare, Messrs. Namdeo Rao, Patil and others supported the resolution which was carried.

### 8. — Propaganda Work.

The next resolution emphasising the urgent necessity of educating the electorate and calling upon the Liberal Associations to take up the work of organisation was moved by Rao Bahadur Kale of Satara and seconded by Messrs. Gadre, Deshpande, Altekar and M. B. Marathe from Belgaum and was carried. The two last named speakers made eloquent appeal for funds for propaganda and it was announced amidst cheers that Mr. Venkatesh S. Mudholkar of Akola who professed Swarajist faith so long had joined the Liberal League and had contributed Rs. 101 towards its propaganda funds.

### 9. — Indianisation of the Services.

Rao Bahadur Mahajani then moved :

"The National Liberal Federation is of opinion, (1) that there should be rapid Indianisation of all superior civil services; (2) that principles and conditions of recruitment for all such services should vest in the Government of India; (3) that actual recruitment should be made by an Independent statutory body like the Civil Service Commissioners in England, and (4) that direct recruitment should be by means of examination and not of nomination by Government."

In moving the above resolution Rao Bahadur Mahajani said that communal representation was detrimental to public interests and that recruitment to higher services should be made by holding competitive examinations and not by Government nomination.

Rao Bahadur Dr. C. B. Rama Rao of Bangalore, in seconding the resolution, narrated his experience in the medical service regarding the disabilities of Indians and the injustice they suffer from.

The resolution was supported by Mr. S. G. Vaze and carried.

### 10. — Revision of the Indian Constitution.

Sir Moropant Joshi next moved :—

"The Federation reiterates its conviction of the necessity of revision of the present constitution of the Central and Provincial Governments on the following lines :—

1. India should be accorded the same status as the Dominions.
2. Except in respect of foreign and political affairs and of the defence of the country for a transitory period, the Secretary of State in relation to the Government of India should occupy a position analogous to that of the Secretary of State for Colonies in relation to Dominions.
3. The Council of the Secretary of State for India should be abolished.
4. The superintendence, direction and control of revenues and administration of British India should be vested in His Excellency the Governor-General in Council.
5. While for the transitory period His Excellency the Governor-General should remain responsible to His Majesty's Government and British Parliament for the foreign and political relations of the Government of India and for the defence of the country, His Excellency the Governor-General in Council should be responsible to the Legislative Assembly in the whole sphere of internal civil administration.
6. Provincial Governments should be responsible to the respective Legislative Councils and Governors should be constitutional Governors.
7. Indians should be trained for and freely admitted to all arms of defence and such financial provision should be made for their training as the Legislative Assembly may decide.
8. The Legislative Assembly and Legislative Councils should be wholly elected bodies with due provision for the protection of the rights of important minorities."

Sir Moropant JOSHI, in moving the resolution, said that the general principles which had been found capable of being worked properly had been

put as a basis of recommendation to the Government. Now that the Statutory Commission was coming to India later than it ought to have come and after six years of vain regrets and methods found unworkable, they had come back to their old principles. He was proud to belong to the Liberal Party which kept its mental attitude undisturbed, though the whole country was practically upset. Though they did not claim credit for inspiring others with liberal methods, they kept up an ideal to which everybody now found it necessary to conform. That was why they valued Liberalism. From the very beginning they asked for Dominion Status. Those who did not agree with them reviled them for not asking for Swaraj. The speaker wanted to nail the lie to the counter. The Liberals expressed joy when the Reforms were introduced for complete acceptance by the Government of the country of the change from autocracy to democracy and admission of the principle. They declared even then that that was not enough. From the beginning the Congress and the Liberal leaders had this idea of Dominion Status and nothing else. During the last six years of experiment, the Liberal Party had done eminent service which would be remembered and had been telling the Government that the Reforms conceded were not enough. They agreed to work them in the spirit in which they were given and proved themselves fit to work them. After the working had shown that the Reforms given would not meet their aspirations and would not be for good Government which it should be, they had shown that it was not what Indians wanted. He reminded the critics that the value of Liberalism lay in the manner in which the banner was kept flying and the mental equilibrium kept intact. Lord Birkenhead's speech had borne him out that unless there was response and co-operation, no advancement was possible. That was the dictum of the rulers in spite of threats. Thus the condition was such that they were not in a position to wrest the power from the rulers, but only by a spirit of co-operation should they succeed. There were signs on the horizon that Lord Birkenhead was taking a favourable view of the matter. Everybody now felt that the Liberal methods were right. The Council elections had also demonstrated that responsiveness was upheld by the intelligentsia of the country.

Coming to the National Demand, he said it was no other than the Dominion Self Government put forward by the Legislative Assembly. If there was unanimity, the goal would be achieved soon.

Mr. C. Y. CHINTAMANI, in seconding the resolution, said that the present constitution could be only worked with such difficulty and constant friction that neither efficient administration nor contentment of the people could be secured by continuing it with all its defects. There being nothing sacrosanct in a date, he urged there should be no reluctance on the part of the British Parliament or the British public to undertake at an earlier date the examination of the defects revealed by the working of this system. It is first of all asked in the resolution that India should be accorded Dominion Status on the lines recently laid down by the Imperial Conference as a result of which statesmen like General Hertzog who had previously stood up for separation from British Empire went back to South Africa and told his fellow Boers that they need no longer be dissatisfied with their position within the British Empire. The position of India had been dismissed summarily. It was stated there that the Conference recognised India as the most important part of the Empire. According to the Government of India Act 1919, "At present the Government of India lays down that the superintendence



and control of the revenue and the administration of British India shall have been in the hands of the Secretary of State for India in Council." We are not satisfied with that position. We want that the controlling authority should be the Government of India in India and not the distant Secretary of State, ignorant and irresponsible to the people of India : but in view of the conditions that exist, conditions for which we are not primarily responsible in view of the circumstances that we are not ready at the present moment and cannot be prepared for the military defence of the country, and in view of the complicating fact of the position of Indian States in India, we make the reservation that for the transitory period in respect of the foreign and political affairs and the defence of the country the Governor-General shall retain his responsibility to His Majesty's Government and to the British Parliament. Dyarchy that exists in the provincial Governments has compelled provincial Governments to be divided into two heads, reserved and transferred. We make no such recommendation with regard to the constitution of the Central Government. We only say that the Governor should remain responsible to the Secretary of State for the administration of foreign, political and military for a transitory period. That the present position in the Central Government is highly unsatisfactory was admitted in anticipation by the distinguished authors of the Montagu-Chelmsford Report and it has been admitted, it may be indirectly and by implications but still admitted substantially and without doubt, by no less a responsible man than Lord Irwin in his speech at Calcutta. His Excellency observed the sovereign defect of this constitution. Things should be as they are and from what we have known of the high character and the just-mindedness of Lord Irwin, I trust we may hope that if only our representatives in the Legislative Assembly give a good account of themselves, we shall find in His Excellency a warm friend and adherent. As regards Provincial Governments it is necessary in the interests of good administration for the uplift of the people that the present constitution of Provincial Governments should be amended without avoidable delay and no part of the scheme with regard to the province is more urgently needed than such a transformation of the position of the Governor as to make him a constitutional Governor and not an arbitrary being that he at present is. This is the feature viz., the irresponsibility of the Governor of the revision, and that alone can be described as an outward revision which will place the Governor in the same position in which Governors are in the Dominions.

In the last clause of the resolution we have urged that the Legislative Assembly and the Legislative Councils should be wholly elected bodies. One need not labour the proposition that responsible Government is utterly incompatible with the existence in the legislatures of members whose only constituency is the Government House. If you want the Governors to be responsible to the legislatures, you must have nothing less than that those legislatures should be representative of the country and should not be constituted so as to enable the Government always or frequently to hold the key so as to be in a position to determine the result of divisions. For such reasons, it is essential that the legislature should consist entirely of elected members.

The question of the rights of important minorities is a matter which has received great consideration in the past and will need equal consideration in the future,

In concluding, he appealed to the Liberals to bear in mind that the

growth of the Hindu Muslim disagreements was being put forward as an almost invincible argument against action at an earlier date in the desired direction. This being so, their efforts to minimise disagreements and promote good understanding and mutual confidence should be in proportion to the keenness of their desire to win self-Government at an early date.

The resolution being further supported by Messrs. G. K. Gadgil and others was passed unanimously.

Sir Moropant Joshi then proposed a vote of thanks to the Reception Committee and the President for having given them a wise guidance.

### President's Concluding Speech.

Sir P. S. Sivaswami Aiyar, in reply, said that he was anxious about the success of the Federation. The Conference had been a success owing to the efforts of Rao Bahadur K. G. Damle. He thanked the volunteers for their arduous work. He was depressed by the unpopularity of the party, but it was his joyful experience that there was much enthusiasm among the Liberals in Akola. He had no doubt about the future of the party. It stood for commonsense and constructive work. If the country returned to wisdom, it was due to the activities of the Liberals. He had great admiration for the Maharashtra community for steadfast work. They had the virtue of perseverance. The Mahratta led the movement against the Mughals and the same spirit would be required to fight for Swaraj. He said that Rao Bahadur Kale had impressed on them the necessity of educating the electorate. He hoped that Maharashtra would set an example to other provinces. Public spirit and wealth did not go together. Given the necessary zeal and enthusiasm, the public could be persuaded to their point of view. Want of success of the party was due to the failure to carry their work to the country. Propaganda work in all directions was, therefore, necessary.

This concluded the President's speech and the Federation was declared closed and the President was profusely garlanded amidst cheers.

SPECIAL SESSION OF THE

# All-India Hindu Mahasabha

GAUHATI—THE 28TH DECEMBER 1926.

The special session of the All-India Hindu Mahasabha sat on the 28th December in the evening in the Congress Pandal after the Congress had concluded its sessions. Pandit Madan Mohan Malaviya took the chair. The whole of the big Pandal was packed to its fullest capacity. A large number of village and hill-folk were present. The proceedings began with the "Bande Mataram" song."

### Chairman's Speech.

Mr. Hem Chandra GOSWAMI, Chairman, Reception Committee in welcoming the delegates said :—

"I consider it a proud privilege to accord a hearty welcome to the great leaders of thought in the Indian Empire to this ancient city of Pragjotishpur of hallowed memory standing on the ruins of an ancient civilization, as ancient as the rocks you see around you. Although we have lost our independence only a hundred years ago, judging from our present state you can very well cry in astonishment 'oh, how fallen, how changed:' Our members are so few, being decimated every year by Malaria, Kalazar and other epidemic diseases and our resources so splendid having no trade, no commerce, no industry to depend upon that. We really do not know how to give you a suitable reception. We are quite alive to our short-coming of not being able to look after your personal comforts as we wished in the heart of our hearts, but, I assure you on behalf of the Reception Committee, that we have spared no pains to do our little best in the country. With these words I invite you gentlemen to deliberate on the future welfare of the Hindus as a nation. We have now arrived at such a initial moment in our national life that if you fail to put our heads together and devise the best means possible to consolidate the Hindus of different provinces and formulate plans for a concerted action we are sure to perish at a no distant time. It will scarcely lead India in the path of progress if we devote our whole energy for its political salvation leaving aside all other activities to take care of themselves. The Hindus have now well high forgotten their noble tradition and the true mission of life. If we intend to live as a nation, as a progressive and vigorous nation, we must all combine casting aside all our petty provincial differences. Though the highest aim of Hinduism is the unification of all the diversities and to see unity in the midst of diversities, by the irony of fate we have acquired the knack of creating differences where there are none.

"Gentlemen, I now invite your attention to the following points :—(1) It is high time that we should organise a solid religious association for the whole of India having its branches in different provinces to advance the cases of Hindus and Hinduism. (2) Hinduism is said to be not a prose-

lytising religion but in Assam the conversions of Animestic people is going on almost every day before our very nose. We should try our best to convert these people to our faith with the help of the religious heads. (3) We should try to uplift the depressed classes of India. (4) Hindu boys and girls should be taught physical culture so that they may defend themselves against their enemy. (5) To establish inter-provincial communications we should have a weekly paper in Hindi to propagate these ideas amongst the masses of the Hindus; this will also facilitate the spreading of the knowledge of Hindi among them.

"Gentlemen, the Hon'ble President, Pandit Madan Mohan Malaviya has already done yeomen's service to the Hindu nation by his earnest endeavours to bring together the diverging forces working in the Hindu society. I mention with great pleasure the name of our illustrious countryman Lala Lajpat Rai, Dr. Moonjie and Swami Satyananda and numerous others who are working in the same field. It is most gratifying to the Hindu mission under the guidance of Swamis Satyananda, Nagisananda and Kumar Bimalendu Rai and others who have already reclaimed over 500 families in the Garo Hills, Khasi Hills and Assam Valley. You know Babu Piyush Kanti Ghose of the 'Amrita Bazar Patrika' to whose untiring zeal the Sammilani owes its origin is also a very powerful advocate of its cause. I am sure, there are many persons in different provinces who would help our cause. Our duty is to find out these persons and allot to them the proper share of their work. To organise such an association you could not have selected a better place than this. We sat here under the feet of our mother Kamakhya by whose grace we expect to attain our noble object. I welcome you gentlemen most cordially, the members of the Hindu Maha Sammilani and delegates to Pandu over the mighty problem of the Hindu nation and find out their satisfactory solutions.

"You must have been shocked at the cruel news of the tragic end of the great Hindu leader Swami Shradhananda brought about by a Moslem assassin. Though we all deplore this dastardly murder we must remember that this and such acts instead of damping our spirit should put us in mettle and goad us to more concerted work.

### Pt. Malaviya's Address.

Pandit Madan Mohan Malaviya then came to the rostrum and delivered his extempore speech. He said that the great assembly met under a great shadow of grief for the death of Swami Shradhananda, the greatest worker of the Hindu cause.

Giving a brief history of the Swami's life Pt. Malaviya said that the Swami had sacrificed his all for the establishment of the Gurukula for the training of young men in national and social service. He had also courted imprisonment for the political struggle of the country.

Continuing Pt. Malaviya said, "Swami Shradhananda was the pioneer of the Suddhi movement. It was he who really felt about the desire of those Hindus who had once forsaken their religion and he inaugurated the Suddhi movement. Up to the last day of his life he thought for Suddhi, and Sangathan. But he was murdered by a cowardly assassin in his sick bed (shame, shame). The Swami was the martyr of the Hindu cause just as Guru Teg Bahadur was the martyr of the Sikh. Because the Swami is dead the

Hindus should work out his work—Suddhi and Sangathan. The Swami never did wrong. Mussalmans convert people of other faiths to their own religion every day. It is, therefore, not improper for the Hindus to do Suddhi work. I would like to emphasise that in his Suddhi and Sangathan work the Swami never followed the path of wrong. If the Mussalmans stop their Tabliq I would like to see the Hindus also give up their Suddhi. A resolution will be placed before you to fix a day for the Hindus all over the world to mourn over the death of the great man and pray for the peace of his soul. A proposal will also be made before you to start a memorial fund to commemorate the Swami's death. I hope you will accept the resolution and work up to it. Swami Shradhananda was a Congress worker and he never lagged behind in the fight for political freedom of the country. Following the ideal of the Swami every Hindu and Mussalman should take a solemn vow not to do any such act as may promote communal tension, either by writing or by speaking.

"Every Hindu knows that to create knowledge and the love of God the Hindu religion is a precious one. But it is very much regrettable that the Hindus have been losing their faith in the magnanimity of their religion. I think that every Hindu should help the Hindu Sabha by deed, word and thought. Arrangements should be made in every village for holding small religious congregation where the people of the village can go and attend the congregational prayer. In this way we can bring more life into the Hindu race by instituting the religious feeling in their mind.

"I have travelled from the Himalayas to Kumarika on the one side and from Karachi to Dibrugarh on the other, but sincerely speaking I have never seen the like of a simple and sincere people as the Assamese. Missionaries have been converting hundreds of Hindus of the Garo, Khasi and other hills. It is high time that the Hindus should keep those Hill tribes into their faith.

"The opium consumption is a very pernicious custom in Assam. Preachings should be done by all to give up that bad and ruinous custom. If you can put a stop to this I shall deem my visit to Assam successful. I am really glad to meet Swami Gurumaru, the most influential religious preceptor. I hope you will do missionary work throughout Assam with Swami Gurumaru as your leader. You should try to start one Hindu Sabha and Katha Sabha in every village and if you can do this, you will save the dying Hindu race from ruin.

In conclusion Pt. Malaviya said:—"It is high time also to eradicate the evils that have been sapping the life blood of the Hindus. We should stop early marriages, guard the helpless widows and the religious temples and take up cow protection work."

## Resolutions.

The following resolutions were taken up for discussion at the second day's sitting of the Sabha on the 29th December, excepting resolution No. 1 which was disposed of on the 1st day. All the resolutions were passed unanimously.

### 1.—Late Swami Shradddhananda.

"The Mahasabha expresses its abhorrence of the cowardly, cold-blooded and treacherous murder by a Mussalman fanatic of the brave and noble patriot and an honourable

leader of the Hindu community, Swami Shraddhanandaji, who had consecrated his life to the service of the motherland in general and of the Hindu community in particular when he was lying in sickbed after an attack of serious illness. While mourning the great loss caused by the death of the Swamiji, the Mahasabha recalls with pride that he became a victim to the pistol of the assassin for no other reason than his honourable devotion to and dauntless courage in carrying on the sacred work of Suddhi and Sangathan which he carried on with scrupulous fairness. The Mahasabha offers its deep sympathy to sons and other relatives of the deceased in their sad bereavement. The Mahasabha calls upon every Hindu, wherever he or she may be, to show his or her grateful reverence for the Swamiji by offering Tilanjali and prayers for him on Sunday the 9th January 1927."

## 2.—Swami Shraddhanand Memorial.

"The Mahasabha further resolves to raise a permanent endowment fund of Rs. 5 lakhs to be known as "Swami Shraddhanand memorial" with a view to carry on the work of Suddhi and Sangathan and hereby calls upon every Hindu, high and humble, to contribute his quota to the fund and to send the amount to the Manager, Punjab National Bank, at Delhi or at any other branch of it. The Sabha also requests every Hindu organisation to collect and remit contributions to this fund to the said bank at Delhi or to any other branch of it and to intimate the fact to the Secretary, Hindu Mahasabha, Delhi.

## 3.—An Appeal to Hindus.

"The Mahasabha invites the attention of Hindus all over the country to the second object of the Sabha, namely the promotion of goodwill and friendly relations between Hindus and the followers of other faiths in this country and it appeals to them that while they should firmly promote by all legitimate and honourable means the objects of the Hindu Mahasabha, namely to organise and educate their co-religionists, to protect and promote their religious, cultural, social and, where necessary, political interests or to refrain from doing anything which may be reasonably calculated to retard the growth of an united Indian nation or to give any reasonable ground for complaint to members of other communities inhabiting this country.

## 4.—Patuakhali Satyagraha.

"This Mahasabha expresses its sympathy with the suffering of the Satyagrahis of Patuakhali who have been sent to jail for asserting in a peaceful manner their right of taking out processions with music on a public street. The Mahasabha trusts that the Hindus of other parts of India will lend every legitimate support to their brethren of Patuakhali to enable them to continue their Satyagraha until their right is fully vindicated and recognised.

## 6.—Hindu Hill Tribes.

"The Mahasabha draws the attention of the Hindu community to conversions of Hindu hill tribes to other faiths which has been going on on a large scale in Assam, Bihar, Chota Nagpur and other places as well as among Hindus of East Bengal resulting in deplorable decline of the Hindu population in the said areas.

This Mahasabha appeals to Hindus to take a lesson from well-organised missionary efforts of Christians and Mussalmans and to organise and strengthen Hindu missions to check the tide of these conversions and to promote religious, social and economic advancement of Hindus in those places.

## 7.—Organisation of Hindu Sabhas in Assam.

"Resolved that steps be taken to organise Hindu sabhas in every district and sub-division of Assam to carry out the objects of the Hindu Mahasabha.

## 8.—Special Session at Hardwar.

"Resolved that a special session of the Hindu Mahasabha be organised to be held at Hardwar for purposes of propaganda during the coming Kumbha fair and an attempt be made to enlist the co-operation of energetic and self-less sadhus and sanyasis to carry on the work of the Mahasabha throughout India."

THIRTEENTH SESSION OF THE

# All-India Christian Conference

MADRAS—THE 28TH DECEMBER 1926.

The 13th All-India Conference of the Indian Christians commenced its sitting on December 28th in the Wesley College Hall, Madras under the presidency of Rai A. C. Mukerjee Bahadur. There was a large gathering of Indian Christians present including the Hon'ble Mr. Justice Devadoss and Mrs. Devadoss, the Hon'ble Dewan Bahadur R. N. Arokiasami Mudaliar, Mr. Arokiasami Mudaliar of Pondichery, Dr. Asirvada Nadar, Prof. S. E. Ranganadham, Messrs. V. Chakkarai, P. Chenchiah, R. N. Danapal Mudaliar, K. W. Rama Rao, Balasingam Satya Nadar, J. E. Hensman, J. J. Hensman and Sivasubramaniam of Bangalore.

## Welcome Address.

Dr. Asirvada Nadar, Chairman of the Reception Committee, welcomed the gathering. In the course of his speech he said :—

“As you are all aware, the Montford Reforms are given to us from the year 1920, and from the beginning of their introduction an unhealthy communal feeling was aroused among the people resulting in communal hatred chiefly between Brahmins and non-Brahmin Hindus and sapped the national unity and strength. Our community has not actively joined any party and there has never been any fracas between Christians and non-Christians which, I think, is due to the fluid of peace and harmony running in the veins of Christians—our heritage. This year a healthy independent party—moderate nationalists—has come into existence and every one has great expectations from the party. Under the present reforms our community is given only five seats in the local Legislative Council, for the whole province which is divided into five groups for this purpose. Of these electorates one is mostly a Catholic, another is a Protestant and in the rest the number of Catholics is predominating. If therefore our Catholic brethren do not have forbearance and equity there will be returned in every election one Protestant and four Catholics. But it is gratifying to note that this year in the Tinnevely and Ramnad group our Catholic brethren have shown the above virtues and returned Mr. Daniel Thomas, a Protestant. To avoid this unpleasant inequality between the two sections a compact was made in the year 1920, but to our misfortune it was short-lived. In the tenth Conference which was held in Bangalore a resolution was passed urging the Indian Christian Associations in the Madras Presidency to take early steps for rectifying the causes which are likely to lead to a very unhealthy growth of sectarian feelings in the community itself, and the Conference appointed a Committee for the purpose. But I am sorry to say that though three meetings were convened our Catholic friends did not respond to our invitations. Last year the Indian Christian Association of Madras corresponded with the Catholic

Association requesting them to come to some amicable settlement with regard to elections recently held in the presidency and after their deliberations in Tanjore last December they wrote to say that any resolution passed by that body concerning elections would not be binding on their electorates. This year a Protestant gentleman came forward as a candidate for the Central group, that is, Madras, and after a few months, through some mystical power he suddenly dropped the idea. Apart from my desire to have equitable advantage alternately for each section of our community I wish to avoid the unnecessary waste of money which our community can ill afford, and other unpleasant consequences of a heated election, by establishing a compact between the two denomination and unanimously nominating three Protestants and two Catholics in one term and two Protestants and three Catholics in the second and so on till we are given at least six seats when we can have an equal number of seats if we should possess the same virtues of equity and forbearance. This act of ours will not only set an example to others but will also draw admiration from them. In this respect this time both the Congress and Justice Parties in the Madras City maintained regular discipline among their respective partymen. No more than four candidates in each party contested the seats. Instead of their taking a lesson from us we have to take one from them. Having had a bit of experience now, I hope, we shall do better when further instalments of Reforms are given to us after 1929. If no mutual agreement be possible at all we shall have no other alternative than to move the Government to grant us permission to contest in the general election with reservation of seats in five or six major groups or centres instead of communal electorates. This system has no doubt some difficulty of adjustment of the Christian voters but I do not think it is an impossibility.

"Our share in the political life of the country has not hitherto been very active. Apparently we have carried out to the very letter the teaching of our master :—"Take therefore no thought for the morrow, for the morrow shall take thought for the things of itself". It is comforting to report that there have been no Hindu-Muslim differences in our Province but on the other hand both the great communities move very friendly. The leaders deserve praise and we trust that other Provinces where the unhealthy differences exist would follow their splendid example. It is a matter for regret that in their nation-building efforts the other communities seem to consider our community as a negligible factor. I should think that the fault is not on their part but our own. Our early moral and religious training, our tenets, our private and public probity and the fact that we occupy a middle station between the western people who have influenced our life and faith, and the eastern to whom we belong by reason of our birth and upbringing, and are therefore in a specially advantageous position for reconciling and co-operating the conflicting ideals of the two sections and interpreting the one to the other, all stand in our favour to serve in a Ministry of friendship and reconciliation. I should like therefore that we enter into the national regeneration of the country and be a guiding principle from its infancy. If we do not join the rank now but sit quiet with folded arms, when the fishes and loaves are distributed we shall have no claim. As our Lord has said, "Let your light so shine before men, that they may see your good works, and glorify your father which is in heaven." We shall illumine the country and be also the Ambassadors of peace and good will.



"On the evening of the 18th instant some of us ventured to present an address couched in terms of Christian fellowship and a copy of the English Bible to Sriman Srinivasa Iyengar on the eve of his departure to Assam as President-elect of the Indian National Congress, fully realising that in the enormous task he has undertaken, his responsibilities are great and that he is in need of sound wisdom from the one who is all wise, all powerful, and the creator of the universe, visible and invisible and according to our faith, experience and knowledge that such a being is no other than the true God we are worshipping and praying to that he may direct him in all his deliberations and place him under the guiding principles of the book.

### The Problems of Community.

Some of the problems confronting us are the Indian Church Measure, the remarkable Union Movement of the South India United Church and the South African Indian problem. But as these are in worthier hands we need not go into their details. As for the South African question we receive daily re-assurance from the press of an early happy settlement by the Round Table Conference. Our economic and un-employment question is so serious that it must be left in abler hands to be grappled with. But I may be permitted to touch upon one aspect of this question as affecting our community. Most of our young men after their University career prefer entering the services to walks of life. Some at least should, I think, take to agriculture trade or other industries, in the prosecution of which their education would no doubt be a great help, and they would then be a source of improving the material prosperity of the community. I should also touch upon one of the disabilities which the so-called self-supporting churches in South India are labouring under. For some reason or other as a post-war retrenchment, or to extend missionary labours in other unexplored fields or to internal dissensions at home due to higher criticisms and consequent shortage of funds there, almost all missionary societies have made considerable cuts in their monetary support towards missionary work in India and the worst sufferer therefrom is the Church Missionary Society in Madras. The step taken by the Parent Society is somewhat premature and the stoppage of support except that of a few special gifts from endowments for purely evangelistic work among the non-Christian tells much upon our ordinary work. The congregations here were either not prepared or are too poor to cope with this unexpected responsibility which they have been taxed even beyond their capacity. We cannot make retrenchments without seriously affecting the efficiency and sphere of work. Another hardship which our members are experiencing from the authorities of Christian Colleges and Schools is the forced retirement of several experienced and able teachers who have spent almost their lifetime as teachers as soon as they attain their 55th year of age even though they are quite healthy, efficient and fit physically and mentally. For a minor community like ours to come forward or at least to maintain its own position, backing up from influential quarters from outside and push on the part of our members are required. I am sorry to say that we do not possess these advantages to any appreciable degree. But it is comforting to know that when our men and women enter into any walk of life they by their tact, manners, private and public character, gain the approbation and confidence of their employers and the public. These qualities coupled with other special

advantages which our community possesses should, I think, encourage them to take part in all public activities.

#### MR. R. N. MUDALIAR'S SPEECH.

Welcome address over, Mr. Balasingam Satya Nadar read the messages of sympathy and then requested the Hon'ble Dewan Bahadur Arokiasami Mudaliar to address the gathering.

In responding to the request, the Hon'ble Mr. Arokiasami Mudaliar said he was glad to be present at the Conference and to give public testimony to his conviction that for the uplift of the Indian Christian community in the Southern Presidency and elsewhere, it was absolutely necessary that all Indian Christian denominations should join forces and work together on a common platform. (Applause.) So far he was aware, it had not been the case. He did not propose at that meeting to start an analysis of the reasons that had operated against that desirable union. But he was sure of this, that possibly certain sections of the Indian Christian community had been scared away by the belief that that was more or less a set of religious convention in which they were afraid of taking part. If the objects of this Conference were widely known and if it was divided into different sections—political, social and so forth, it would not be found impossible to secure the hearty co-operation of all sections of the Indian Christian community in matters affecting their welfare. They were all aware—and the speech of the Chairman of the Reception Committee made it plain—that there were many matters in which they had to work in common. For one thing, the Government treated all sections of the Christian community as one unit for political purposes, and if only for political purposes, it was necessary that they should unite and work together on a common platform. Besides, there were social questions as, for instance, the uplift of the depressed classes. They were aware that among the Christian communities there was a large section of the so-called depressed classes and the problem of their elevation must occupy the attention of the whole community and particularly a Conference of this character. It might be possible to secure the co-operation of various denominations if the Conference divided itself, as the Indian National Congress had done, into various sections.

The question of a pact between Roman Catholics and Protestants among Indian Christians was a difficult one. It was attempted once before and it failed. He was not sanguine that it would be possible to establish a convention of the sort which the Chairman of the Reception Committee was referring to. The fact that certain communities were in a majority in certain electorates must tell on the ultimate results and there were associations of Roman Catholics or Protestants who could give a lead. Even if they were able to create associations, which could authoritatively settle the candidates and enforce its mandates, he was not sure they would at all be near the solution of the problem of arriving at a pact. But he was not without hope. It would depend on the work which the workers of the associations would be able to put forth.

Speaking on the communal electorates, the speaker said :—

One other point has been referred to by the Chairman of the Reception Committee, the question of communal electorates. Even as a private individual, I am prepared to express here my strong conviction that we of the Christian community have lost tremendously by the creation of these separate

electorates. (Cries of hear hear). We have lost tremendously in political importance. In point of number we form but a small group and having absolutely no voice in the election of the majority of the members of the Legislative Council, we have sunk to the position of absolute insignificance. It seems to me that when the time comes for the revision of the present electoral system, it will be the duty of Indian Christians to press for a vote in the general electorate, it may be with reservation of seats for Indian Christians, till such time when by the development of national consciousness we could get on without separate representation.

Gentlemen, there are various other questions which have been referred to in the speech of the Chairman of the Reception Committee. But my object in consenting to say a few words to you, was, as I said, to give public expression to my conviction that it is necessary that all Christian denominations should unite together for common purposes."

### The Presidential Address.

Rai A. C. Mukerjee Bahadur was next installed in the presidential chair. The following is the text of the address delivered by him : —

"We meet for the second time in Madras after a lapse of 12 years. It was the session of the Conference that was held here in the year 1914. Since then we have met twice in Bengal, Bombay and the United Provinces each and once in Orissa, the Punjab and Central Provinces. Even after thirteen years of existence we have to confess that our body is far from being strong. The Conference is worthy of better support. Its object being to promote the well-being of the Indian Christian community one would think that the very enunciation of the object would draw under its banner all the various members forming the community. One has to confess however that except perhaps in my own Province, the United Provinces and the Punjab, the bulk of the community has shown great apathy towards the movement. Whether it is due to lack of knowledge about it or whether it is due to an absence of propaganda on its behalf throughout the length and breadth of the country, or whether again it is due to a want of appreciation of the possibilities which lie at the base of such a movement, I am not able to say. Perhaps all these various causes are more or less responsible for this unhappy situation, for true it is that our leaders have not shown that amount of earnestness in making this body strong and really representative of the feelings of the community which is expected of them. They still appear to be unmoved. One great cause of weakness, we sincerely deplore, is that with the exception of a few public spirited individuals here and there—and their number is very small—the great Catholic community has, as a body, held itself aloof from the All-India Conference. The Conference is most anxious that this community should also be united with us. Neither we nor they can separately speak in the name of the Indian Christian community. In spite of all our differences, and whether we are willing to recognise each other or not as members of the same body, there is not the slightest doubt that we are members of one community and that we either rise or fall together. We do not discuss religion or articles of belief in these Conferences. We discuss things which work for our solidarity and for the uplift, social and economic, of the members of our community, and that ought to appeal to Catholics and Protestants alike. Such aloofness does not exist among Europeans and Anglo-Indians in this country.

They in their Associations all unite and work together, Protestants and Catholics, alike. Why not we ?

#### Need for Co-operative Effort.

Ladies and gentlemen, the time spirit demands that we should combine. These are days of union and of co-operative effort. I have not much knowledge of conditions in the South, but I do not suppose that the conditions would be very different from the North where various communities have felt compelled in their own interest to form Sabhas and Samajes, and these have contributed considerably to the strength and uplift of their communities. Kahatriyas, Kayasthas, Marwaris, Sikhs and even such depressed classes (please remember they are not all untouchables) as the Ahirs, Kurmis, Barbers, Chamars etc., have organised themselves into Sabhas and Samajes and these are doing an immense service in removing social evils, in enforcing duties, in asserting rights and in adopting measures for the uplift of their members. It is an encouraging feature to find that wherever no heed was paid as long as demands were urged by individuals, people are gradually educating themselves to concede to demands when they are made on behalf of a whole people. The struggle may be short or long but there is no doubt that if there is justice and righteousness underlying a cause success is assured. Let the lesson of the historic Satyagraha at Vaikom not be lost. Vaikom is not and cannot be a solitary instance. Such Vaikoms help to educate the public conscience and it is that which we so earnestly desire to see.

#### Christians and Politics.

Ladies and gentlemen, this leads me to the consideration of a much bigger problem, a problem which has not claimed that amount of attention which it deserves, namely, that we cannot remain aloof from the body politic. We cannot afford to be indifferent to those aspirations which are inspiring the Indian nation in these days. Not unjustly has the charge been levied against us that we Indian Christians have in a way cut ourselves off far from the main body of India and have constituted ourselves in an absolutely wrong sense into a 'peculiar people,' an 'elect race'. What I said in reference to the Catholics and Protestants applies with ten-fold more strength to Christians and our non-Christian countrymen, for here also, we either rise or fall together. It is true that constituted as this Conference is we are not an out and out political body. We attempt to unite Indian Christians irrespective of their political beliefs. Persons holding extreme political opinions, whether Swarajists or Liberals or Conservatives, all have a place and work in our conferences. At the same time, I submit that it will be a great mistake to make the Indian Christian Conference with its limited object and its comparatively restricted outlook to be the be-all and end-all of our existence as a community. While working for our own social and economical uplift there is no reason why we should not share in that larger life, the national life which concerns us all, Christians and non-Christians alike. Our members are perfectly free to ally themselves with any school of political thought with which they find themselves in sympathy. I would go further and urge on them that it is their duty to take their full share in the country's deliberations in matters pertaining to the nation's progress. Use your own judgment. Follow the lead of those whom you can trust but follow them intelligently and thoughtfully. Do not be afraid to ask them questions. Do not be afraid to press

on their attention your own points of view which you conscientiously hold. But the chief thing is let us not be indifferent to our country's progress. We certainly do not desire—do we?—to be content with being hewers of wood and drawers of water in our own country. We certainly desire that India should have her rightful place in the commonwealth of nations and not merely be a suppliant begging at the doors of other peoples and show as if we would feel grateful for any crumbs that may fall from their tables. We may have to fight for it: we may even have to suffer for it. Let us be prepared for both. And here may I say to those in our country who to-day in regard to the Government seem to be out for a fight, that we shall gain more by co-operation than by non-co-operation, more by fighting constitutionally than by an out and out obstructive policy. Whatever may be the opinions held by the enactors regarding their own conduct, I believe that these walk-out methods have not only been fruitless but have really given the bureaucracy the chance to do things in their own way. Their action is more like the acts of children. What we need is to put up a fight, a strong fight in our legislatures and if we fail to achieve our object let us keep at it and a time will come when reason will prevail. No one can deny that there has been progress. There was a time when power was entirely in the hands of the bureaucracy. Is that the case now? And who can say that the change will stop here? Let our goal be clearly the same level as the other self-governing colonies and dominions. Nothing short of this will satisfy us. But the mere use of high-sounding words and phrases like non-co-operation, obstruction and the like is not going to take us to our goal. We have to remember that the Englishmen is a hard-headed and unimaginative person and he can only see things through the eyes of cold reason. It is up to us to convince him that we are in deadearest and one of the ways by which we shall be able to prove it is by not neglecting to build from the bottom. Let us not neglect the nation-building part of our programme.

#### Inter-communal Unity.

"It is where the true spirit of democracy is wanting we have such woeful disasters enacted as we have seen taking place in various parts of the country. In the North we have had open fights and bloodshed. In the South we have the manifestation of bitterness of feeling among class and class. It seems to me that we Indian Christians ought specially to feel the challenge that comes to us from outside to help to bring about that spirit of friendliness, of brotherliness which our Lord inculcated when he charged us to love even those who hate us and pray for those who persecute us. I am sure even though his onslaughts were directed against our community as much as against Mahomedans, yet let it be said to our credit that we Christians have not manifested the temper and feeling which the Mahomedans have done and we Christians deplore the tragic death of Swami Shraddhanand at the hands of the wicked assassin. The cause of religion cannot be served by such means. We must all stand for freedom to worship in the way we desire but for that very reason we should be ready to concede to those who differ from us the same freedom that we desire for ourselves. What did Swami Shraddhanand do more than Mahomedans and Christians are doing every day. I sincerely trust and pray that the Hindu community will not lose its head over this tragic event. This terrible catastrophe ought also to serve as a call to the leaders to try and examine themselves. Have they done anything to foment such feelings, not intentionally perhaps? We all

know that enormities have been committed as an indirect result of the actions and utterances of leaders. Let us each set our own house in order. But let us not stop there. We are out to build up a nation. Let the leaders teach those that trust them and profess to follow them that it is not by violence that a nation can be built up.

"Have we done anything to heal the sores of our country or have we not rather been content with crying 'peace' 'peace' when there is no peace or, worse still, have been indifferent to events taking place outside? You remember what a powerful appeal Mrs. Sarojini Naidu made to us, Christians, when on the invitation of certain Christian friends in Calcutta she addressed them. She put the searching question to them, "What have you Christians, the Messengers of the Gospel of love, what have you done to heal the wounds of discontent, of racial animosity, of bitter communal strife? What are you doing now at the present critical moment for Mother India?

"We Indian Christians must respond most heartily in the midst of such tragic happenings to Mrs. Sarojini Naidu's appeal.

#### Upliftment of Converts.

Having pleaded for the solidarity of the community, the President went on to say:—

"Again we have to remember that we are daily receiving accessions to our numbers and the greater proportion of these come from classes to whom opportunities for making progress had been denied. Many of them are poor, they are uneducated, their outlook on life is very narrow but all the same they are members of our community. Do we owe a duty to them? On account of the vastness of their numbers unless we are careful to raise their condition they will surely drag us down. Just think of this. There was a time, before the so-called mass movements had begun, when we were ahead of any other community in India in education. But we no longer occupy that position now. There was a time when the community stood lowest in point of crime. With the accession of large numbers of men and women from among the criminal tribes of India we can no longer boast ourselves of being a community free from crime. Do we want to stop their coming in on this account? By no means. We are out to preach deliverance to the poor and release to the captive, whatever be the nature of that poverty or captivity. It is for us to help to uplift the masses in our community and if we become pioneers amongst our own people we shall show the way to the rest of India. We do thank God for the Gospel of Jesus Christ which points out the way not merely of our own salvation but also the salvation of society of the nation. This will call for no small amount of sacrifice. We are called upon to think how best we may bring about the amelioration of our community. We must examine, for example, whether the system of education now in vogue is best calculated to help this class of people. Whatever the causes that may have led to it, the present system of education, unrelated as it is to the life of the people does not really help them. Our system is hidebound and allows no room for the experimentation of new methods. Our funds are low and we look to grants to help us run our schools but the system on which Government distributes its grants-in-aid binds us hand and foot to follow the Government curriculum and that curriculum at its best is not calculated to meet the requirements of the people. What seems

to be an urgent reform is that Government should relax the rigours of its education code and permit grants-in-aid to be given to those who are willing to try new methods and new experiments.

#### Call to the Youths.

In the best interest of our Christians in areas where mass-movement into Christianity have taken place, those who have the charge of our people ought to forego, if necessary, the Government grant and introduce better and modern methods of education among them. Christian missionaries have been the pioneers of English education in India. There is need here for pioneers and we ask them to be those pioneers. Let there be fewer schools if need be, but let them be schools where something real, something substantial, something more than mere numbers of passes may be attempted even with the loss of a Government grant. And here is also a call for our young men to give their best for their people. We often hear the cry "back to the village." But that cry will remain a cry in the wilderness unless the best talents among us go to the villages and devote themselves to raising the standard of life among our villagers. What is being urged here is actually being done in other countries where young men with good degrees are content to live a quiet life in the village teaching in a village school or acting as pastors in village churches and raising it to such a state that people find all that they desire in their own village. The village becomes a cultural centre.

#### Communal Representation.

The members of our community ought to come forward and claim seats on Municipal and District and Taluk Boards, on the Legislative Councils and the Legislative Assembly. This brings me to the consideration of the vexed question of communal representation. I have already said that I do not like the term 'community' because of its unsavoury implications. It seems to me that it is the adjectival form of the word which is more open to objection. This term has been misused and it is that which has produced certain very unhappy results. What do we mean when we use the terms? Do we want to put into it the connotation which, for example, the Mahomedans or the party known as the Justicites put into it that in all public appointments we should maintain the principles of communal representation, that each community should have a fair share of the loaves and fishes of office. I hope not. In fact, I feel sure that as a body we do not mean that, for it will be an awful thing for any country if this principle is carried out. We want the best men to occupy positions of responsibility irrespective of whether they are Hindus, Mahomedans, Parsis, Sikhs or Christians. We cannot approve of such action as the Mahomedan party for example made itself responsible for when one of its leaders had the effrontery to telegraph to His Excellency the Viceroy that the Mahomedan community would resent if a certain appointment which had been held by a Mahomedan was not again given to another Mahomedan. We congratulate His Excellency the Viceroy that he had the courage to reject such a suggestion and he hereby did justice to a member of our own community who had proved his worth by long years of highly creditable service. We do not want this sort of communalism at all. A fair field and no favour is the principle which should be kept constantly in view. But if by communal representation is meant that in our legislative and other administrative bodies such as

Municipal and District and Taluk Boards the voices of minorities should be heard, why then, the demand is not unreasonable. As things unfortunately are in India, religious prejudices are often appealed to in departments of life where these prejudices ought to have no place whatsoever. I have spent a considerable portion of my life in public service where I had actually to deal with questions of elections and so forth. And again and again have I witnessed passions being stirred through unhealthy means. One candidate is a Hindu and it is the duty of Hindus to support him. Another is a Mahomedan and the Mahomedans must rally round him. So and so is a Kayastha and all Kayasthas must stand by him. Is that a fact or not? Why even leaders like Pandit Madan Mohan Malaviya and Lala Lajpat Rai have been going about persuading people to return only such men as would promote Hindu interests. Is this not a most unhealthy condition of this? Fortunately for us, our community is so small that even if we had the desire—which I stoutly maintain we have not—we could not promote the interest of our community to the prejudice of other communities. What we do desire is that in the counsels of our country, our voice, the voice of a minority occupying the third place on the score of population, should also be heard.

In conclusion, the President said:—"Let our position not be misunderstood by our fellow-countrymen. The rule by majority is liable at times to go wrong. Did it not do so when England passed its Education Act some years ago which violated the rights of Non-conformists? That law had to be amended. What chance is there for the voice of minorities being heard unless some means or other is devised whereby they could be heard?"

## Resolutions.

The following resolutions were passed at the second day's sitting of the Conference on the 30th December:—

### 1. — Swami Shraddhananda's Death.

This Conference views with profound horror and indignation the assassination of Swami Shraddhananda and appeals to the leaders to continue their efforts towards bringing about a better understanding between the Mahomedan and Hindu communities. It emphatically condemns the abuse of religion for purposes of political and communal propaganda.

This Conference further requests the President to convey to the bereaved family of the Swami their sincere condolences.

### 2. — Nomination to the Executive Council.

This Conference expresses its profound disappointment that since the introduction of the Minto-Morley Reforms no member of the Indian Christian community has been appointed to the Executive Council of the Government of Madras and having regard to the fact that the Indian Christian community is an influential minority community and has in its ranks a number of competent men, urges on the Government to recognise the claims of the Indian Christian community for representation in the Executive Council when the next vacancy arises.

### 3. — Communal Representation.

While looking forward to the time when the development of the national consciousness may justify the abolition of the system of separate representation, this Conference is strongly of opinion that a representation of the Indian Christian community on the various legislative bodies in the country is absolutely necessary.

This Conference recognises that the right of representation by election has been conceded to the Madras Presidency. It regrets however that the claims of the other Provinces in this respect have been ignored, and in the case of the Central Provinces representation



even by nomination has been denied. This Conference therefore urges on the Government the recognition of these claims also.

In the Presidency of Madras the right of election by a special electorate has been recognised, but the experience of the last three elections has revealed certain grave defects in the system. This Conference therefore urges that in the Madras Presidency as well as in the other Provinces seats may be specially reserved for Indian Christians to the extent of 10 in the Madras Legislative Council and 4 in each of the other Provincial Legislative Councils and 4 in the Legislative Assembly and Council of State each, but that Indian Christian voters be brought on the same roll as the non-Mahomedans, the requisite number for each body being returned by the votes of the general non-Mahomedan electorate.

This Conference further empowers the All-India Council to formulate a scheme at an early date in the light of the foregoing resolution after consulting Provincial Associations and leaders and submit the same to the Government.

#### 4.—Educational Report.

(a) This Conference urges on the Government and Missionary bodies that in order to make education profitable to the villager and beneficial to the country it is necessary that a scheme of village and district industrial and vocational schools where village industries are taught on improved lines along with the elementary education be established and that, as a beginning, model industrial schools be started at suitable centres immediately.

(b) This Conference protests against the abolition of the concession of half fees for Indian Christian Girls in schools and colleges in the Presidency of Madras and urges the restoration of the old system and further prays that in the matter of stipends for teachers' training a uniform standard be introduced for all classes in the Presidency of Madras."

#### 5.—Home Industry.

(a) This Conference earnestly advocates the introduction of Home Industry such as spinning weaving, basket-making, lace making, etc., into the homes of the Indian Christian community.

(b) That a small committee be formed consisting of J. R. Sivasubramanian (Convenor), Dr. A. C. Asirvada Nadar, Mr. C. F. P. Zacharias and Mr. C. R. Bhaktul with power to add for the purpose of working up this scheme and presenting a report thereon to the All-India Council.

#### 6.—Co-Operative Credit Bank.

With a view to improve the material prosperity of the Indian Christian community, to encourage thrift among its members and to help them in their financial difficulties and trade enterprises, this Conference urges on the local Association to form and conduct an Indian Christian Credit Bank on lines fitted to their local conditions, and to report from time to time to the Conference the progress of the scheme.

(b) That a small committee be formed consisting of Mr. A. C. Asirvada Nadar (Convenor), Mr. J. M. Sivasubramaniam, Mr. S. Ambrose, and the Rev. Dr. V. J. R. Asirvadam and Mr. V. Chakkarai with power to add for working of the scheme and submitting a report to the All-India Conference.

#### 7.—South African Problem.

This Conference is awaiting with anxiety the deliberations of the Round Table Conference now sitting at Durban and devoutly hopes that the ultimate findings of the Conference will do adequate and full justice to the claims of Indian residents in South Africa.

#### 8.—Prohibition.

This Conference considers that the total prohibition of sale and manufacture of alcoholic liquors and other intoxicating drugs, except for scientific and medicinal purposes, as soon as possible, should be the definite goal of all temperance legislations in the country. It is gratified to learn that a resolution to the effect has already been passed by the Legislative Assembly. It calls upon the Christian members in the Assembly and the provincial legislatures to give unstinted support to any efforts that may be made to push forward this object.

After a few closing remarks from the President, the Conference closed with the benediction.

EIGHTEENTH SESSION OF THE

# All-India Muslim League

DELHI—THE 29TH DECEMBER 1926.

The 18th session of the All-India Moslem League was held on the 29th December in the afternoon outside the Ajmere Gate, Delhi in a spacious and profusely decorated pandal. The attendance including about 80 delegates was in the vicinity of 500. Among the distinguished participants were Sir Abdur Rahim, Sir Mahomed Iqbal, Sir Mahomed Abdullah and Sir Rahma Bux.

## The Welcome Address.

The ball was set rolling by Khan Bahadur Pirzada Muhammed Hossain, Chairman of the Reception Committee, who in the course of his speech said among other things :—

“ It is only (a) when we are accused of planning restoration of Mussalman rule in India which we take to be an astute move on the part of interested parties to subject us to suspicions of the rulers and concomitant disadvantages, (b) when we are denied our fair share in the Government of the country, (c) when we find hypocritical plea of efficiency raised by Hindu friends to maintain their monopoly of offices, (d) when we find that the majority community is carrying on an intensive campaign for communal organisation in the hope of establishing Hindu Raj in India, it is but human that we should think of protection against such aggressiveness.” Continuing, he said that they must all strive to build up a composite culture, a happy and progressive Indian (as distinguished from Hindu) nation which should draw upon what is best in each of the several cultures which have found their way into the country.

## Music Before Mosques.

With regard to the question of music before mosques, he said that the Government had taken a correct view of the problem in such questions and settled it by executive order. Had the Hindus followed Mahatma Gandhi's advice and left the question of routes for sacrificial animals to be determined by the goodwill of Mussalmans and not asserted an aggressive attitude, this minor issue would never have arisen. By abandoning the correct attitude suggested by Mahatma Gandhi and following a course of provocative aggressiveness, Hindu zealots had themselves postponed the settlement of this issue. Now that the question had been reduced to insistence on civil rights, once again the executive decision of the Government puts the contending parties in correct position ; but he would once again draw the attention of the Indian Mussalmans to the advisability of maintaining a perfectly calm atmosphere for the exercise of their rights which must not be tainted by resentment.

### Muslim's Constitutional Demands.

If India was to be a self-governing dominion of the British Commonwealth and a representative system of Government suited to the genius of the people was their goal, each constituent of the Indian Empire in federal development or otherwise must know the exact position of India. Neither unanimity of purpose nor prosecution of a common object could be possible without it. A clear statement of Muslim demands based on accepted principles of representation and self-determination must be placed on record for the acceptance of both the Government and other constituents of the Indian Empire. He suggested for discussion with this question in view the following changes :—

1. Each compact group with common interests bound by ties of common religion, language and culture (as far as possible and practicable) should be parcelled out into separate provinces to determine its own future in harmony with the larger common interests of the entire continent. Present distribution of provinces had a history of haphazard development behind it and had no rational basis to rest upon.

2. All Provinces must work out their destinies as far as their distinct interests were concerned and contribute their share in common to the Central Government.

3. There should be proportionate representation in the legislature and services.

4. An irreducible minimum of representation in legislatures by Mussalman elected by exclusively Mussalman constituencies should be guaranteed.

5. Proportion of Muslim seats in the Provinces where they are in a minority would automatically be solved. When suggestion No. (1), was given effect to it was only fair and just that where any community was in an effective majority it should retain its effective power and where it was in an ineffectual minority, adequate safeguards should be provided to protect its legitimate interests.

The basis of co-operation with either the Hindus or the Government, said the speaker, was the recognition of the irreducible minimum of Mahomedans' constitutional demands. He deplored the differences of opinion between Muslims over foreign politics which unfortunately and unwisely was being done in India.

In view of the forthcoming Royal Commission of 1929, he considered it most appropriate for the League to issue an invitation to the Central Khilafat Committee and other organisations claiming a representative character for the formation of a coalition for the purpose of the formulation of the demands of the Muslim community to be placed before the Commission. Should the Indian National Congress find it worth its while to call a Round Table Conference for the purpose of exploring the possibilities of forming a constitution acceptable to all the communities, the League should hold itself in readiness to respond to its invitation. Finally, he expressed grief at the loss of Swami Shraddhananda.

Mr. M. A. JINNAH, the outgoing President, next invited Sheikh Abdul Quadir to take the chair and reviewed briefly his connection with the League from 1919 when he was first made President. Mr. Jinnah, in introducing Sheikh Abdul Qadir to the audience, said that the latter was a man who

distinguished himself in various branches of life and rendered great services to the community and the country and the speaker had no doubt that Mr. Quadir would guide them right and under his presidentship the League would successfully go through this session.

### P r e s i d e n t i a l   A d d r e s s .

Khan Bahadur Sheikh Abdul Qadir then rose to deliver his Presidential Address. In the course of his speech he said :—

First of all both the Congress and the League should each put its own house in order and try to bring within their respective fold all the sheep that had gone astray. Then they should both sit together and devise ways and means of acting in harmony wherever possible and of agreeing to differ in a friendly way, when such differences become inevitable. Having accomplished this, they should stand together before the coming Commission on Constitutional Reforms and make a united and vigorous demand for complete reforms. In the meanwhile, as a preparation for that, they should work hand in hand in the spheres of intellectual, economic and industrial progress.

### Late Swami Sharddhananda.

The speaker next denounced Swami Shradddhananda's dastardly murder. There were many Mussalmans who differed with the Swami's religious propaganda, but he was sure they would be as sorry as others to find that a co-religionist of theirs should take it into his head to put an end to his life. No man could render a greater disservice to Islam or lend a stronger impetus to the Shuddi propaganda than he had done by this foul deed.

### Communal Representation.

Touching communal representation Mr. Abdul Qadir argued for increased representation of Moslems in the Assembly and the Councils and other public bodies, and opined that the best solution of this problem would be to retain separate electorates till there was a mutual desire to give them up, or till any particular local area asked for a joint electorate. The question of employment under the State he proceeded was not merely a question of loaves and fishes but a question of power, opportunity and of training. The vitality of this question gained still greater force in the case of Mussalmans because some other avenues of work, particularly in the line of trade or commerce, were practically beyond the reach of most of them for want of sufficient capital.

Continuing, Mr. Abdul Qadir advocated expansion of Tanzeem and Tabligh movement, and concluded by advising agriculturists to further the co-operative movement which had been remarkably successful in the Punjab.

Concluding, he said that he would have liked to touch upon two questions which he considered were very important. Those were the South African question and the Sandhurst Committee, but he hoped that after the questions were thrashed out by the Subjects Committee and were brought before the League he would, if necessary, express his personal views on them.

The Honorary Secretary's report for the year 1926 was then adopted and the proceedings were adjourned till next day.

## Proceedings and Resolutions.

2ND DAY—THE 30TH DECEMBER 1926.

Seven resolutions were unanimously passed when the League re-assembled on this day. The attendance slightly improved upon that of the previous day. The first three resolutions expressed grief at the demise of Nawab Imadul Mulk Syed Hussain Bilgrami, a Muslim leader, Mr. Khawaja Yousuf Shah, member of the Moslem League, and on the murder of Swami Shraddhanand and the consequent injuries inflicted upon a Moslem who died later on.

### 4.—Indians in South Africa.

Sir Abdur RAHIM then moved the fourth resolution which deplored disabilities under which Indians in South Africa were already placed by anti-Indian legislation and regretted the proposal for fresh legislation which if sanctioned by the South African Parliament, would make the position of Indians intolerable in South Africa. The League earnestly hoped that the proceedings of the Round Table Conference now in progress would result in a just and equitable settlement and the establishment of friendly understanding between India and South Africa, removing the cause of the most serious conflict between the two countries.

The mover said that it was inadvisable to utter anything which would tend to strain the relations between Indians and South Africans and thus make the work of the Round Table Conference difficult. Their attempt should be to smooth and pave the way for favourable settlement of the question. He, however, was of opinion that a favourable settlement might be arrived at and the serious and disgraceful disabilities which were imposed upon the Indians in South Africa removed, and no one could deny that justice required that they should have all the rights of citizenship which other South Africans enjoyed. Concluding, Sir Abdur Rahim said :—"We cannot allow our men to be treated as so many primitives."

Mr. Malik Bakrat ALI supporting the resolution, trusted that the Round Table Conference would find an acceptable solution of the most serious question.

Mr. Syed HABIB, said that in the Imperial Conferences it was repeatedly uttered that there was no colour differentiation amongst the inhabitants of the various British Dominions. This was only in theory and not in practice. Englishmen wanted that the Chinese should allow them to live and trade in China. They wanted this from a foreign country, but they could not vouchsafe the same privilege to a section of the people of their Empire. He was, however, inclined to think that the Round Table Conference could never succeed. If it did not he would demand of the Indians to rise to the occasion by doing some practical work.

The resolution was then put and carried without opposition.

### 5.—Muslim Representation in Government.

Mr. Mirza ALI moved the next resolution which emphatically declared it necessary that there should be adequate Muslim representation in the Central and Provincial Governments in India and demanded that, wherever such representation did not exist at present, the defect should

be made good at the earliest possible opportunity. The mover opined that unless Mahomedans were properly represented in the Cabinet of the country and unless they had their proper representation in the higher services, it would not be possible for them to make that advance which was their right to make. He declared with emphasis that Muslim efficiency was second to none. Therefore, if they were given chances to hold higher offices, their efficiency would as a natural course increase.

The resolution was carried amid acclamation.

## 6. — Ministry in the Punjab.

Mr. Din MAHOMED moved the penultimate resolution which deplored the absence of a Muslim from the Punjab Ministry and registered the necessity of having at least one Muslim Minister in the transferred departments of the Province. He explained how, in spite of an adequate number of seats in the Punjab Council being allotted to the Muslims, the Hindus managed along with the Sikhs to form a majority. Thus, it was impossible for the Muslims in the Council to either defeat the Hindus or the Government. Therefore, they were in a very weak position. Thus, it was incumbent upon the Government to safeguard their interests by appointing a Muslim Minister. He alluded to the interests of the Muslims being sacrificed by the outgoing Ministry. In this connection, he instanced the appointment of five non-Muslim Indian medical servants from the Punjab. He recommended that out of the two Ministers one should be a Muslim.

Sir Abdur RAHIM said that when as many as 36 men of one community made a unanimous demand that a representative of their community should be in charge of one of the portfolios in the transferred departments it seemed to him that the Local Government would find its hands forced to recognise the demand. The law was sufficiently elastic and the Governor could appoint a Muslim Minister in addition to the two already existing. Then it would be far better as the three communities of the province namely Hindus, Sikhs and Muslims would be represented in the Ministry. He was sure that Sir Malcolm Hailey would not like the experiment of Bengal being repeated in the Punjab.

Dr. Safa-at Amed KHAN said that his argument in favour of the appointment of a Muslim Minister was not one of loaves and fishes, but it was that of the restoration of the confidence of a community in the Government. He therefore trusted that no one would object to the resolution which when put was carried unanimously.

## 7. — The Bengal Detenues.

The last resolution on this day urging the Government to release the Bengal detenues or to put them under trial without further delay was moved by Mr. Chagla of Bombay. Mr. Chagla said that in England the question of elementary and fundamental rights of the people was regarded as most sacred, yet it was denied in a part of its Empire. There was not a single responsible organisation in the country which had not put forward this demand. In defence of their action, the Government have two reasons. One was that since the detention of these prisoners dacoities in Bengal had disappeared. His reply to this was that the argument was the most dangerous one. The Government could the next time arrest all the leaders to

do away with communal strifes and yet put forward the same argument. The next argument was that no one would come forward to give evidence against the detainees. This difficulty existed in other countries, including England; but they had not detained men in this way. British politicians wanted Indians to co-operate but to their dis-appointment they did not find many co-operating with them. The Swaraj Party was not for obstruction. Let the Government either release the detainees or give them a chance for trial.

Mr. Mahomed Yaqub said that there was a large number of high officials in the C.I.D. who enjoyed fat salaries from public money but they had not been able to make up a case against these detainees. This showed that all the boast of efficiency of the department was a farce.

The resolution was eventually carried without dissent and the meeting adjourned.

### 3RD DAY—THE 31ST DECEMBER 1926.

The League reassembled for the third time on the 31st December in the morning and adopted four resolutions. Attendance was smaller than that of the previous day but a large number of prominent Mahomedans were present.

#### 8.—Sandhurst Committee's Report.

Maulvi Mahomed YAKUB, moved a resolution urging upon the Government the necessity of publishing the report of the Sandhurst Committee with a view to giving the Legislative Assembly an opportunity to consider it in the Delhi Session and trusting that the Government would take early action in the direction of accelerating the Indianisation of the Army.

Mirza Itjaz Hussain of Delhi, in supporting the resolution, said that Mahomedans were more concerned about Indianisation of the Army, because they were more fit for this kind of service. The resolution was carried unanimously.

#### 9.—The Statutory Commission.

Mr. Malik Barkatali of Lahore next moved that the Muslim community should be properly represented on the Statutory Commission when it was appointed. The mover, in a long speech, dealt with the necessity of the appointment of a Muslim who could command confidence of the whole community. The resolution was passed without much discussion.

#### 10.—Reforms for N. W. F. Province.

Mr. Abdul AZIZ next moved a resolution urging on the Government to introduce reforms in the North-West Frontier Province immediately. The mover said that in the India Office and in England, a wrong notion was spread that the inhabitants of the Province were Afridis. This was entirely wrong. He took an opportunity of explaining to Lord Morley that it was not so. He pointed out that such demand was made by the Muslim League, the Assembly and other organisations more than once; yet the Government had not taken any action. The people of the North-West Frontier province, he emphasised, were in no way inferior to the inhabitants of any other province. They were on the other hand remarkably superior in physical strength.

Mr. Sayid Kaim Shah, in supporting the resolution, said that the inhabitants of the province in general and Kashmir, in particular, would not be satisfied if the reforms were not introduced forthwith. He maintained that they were not inferior educationally to any other province. The Punjab was not prepared to take them in. Therefore the only course was to fight for Reforms.

Mr. L. K. Hyder said that it was not desirable to amalgamate the province with the Punjab. There must be a frontier province. He referred to the notion amongst certain people that if Reforms were given to the province they would look beyond the Khyber pass. This he said was entirely wrong. If ever there was a province in which there was homogeneity of language, religion and race it was in the North-west Frontier Province. Therefore from all points of view it was the only province for Reforms. Another argument put forward by the opposition was that the financial position of the

province was not sufficient to withstand any foreign invasion. Defence he said was a non-provincial question. It was an All-India question and should not be expected to be met from the finance of any particular province.

Sir Abdur Rahim said that as there was unanimity of opinion amongst the Muslims that the Frontier Province should get reforms, he hoped that the Government of India would consider the question carefully.

Malik Barkat Ali of the Punjab and Mirza Ali Mahomed of Bombay voicing the sentiments of their co-religionists in their respective provinces emphasised the necessity of giving reforms to the North-West Frontier Province immediately. The resolution was eventually put to vote and carried.

At this time the League adjourned for lunch, but met again in the afternoon when some important business was transacted and the meeting was adjourned *sine die*. The most important resolution of the session was moved by Mr. M. A. Jinnah as follows :—

### 11. — The Reforms and Representation.

"That the All-India Muslim League has repeatedly defined its position with regard to real advance in the future constitution of India in its sessions in 1924 and 1925 and reaffirms the resolution passed at its session at Aligarh in December 1925 to the following effect, namely, that whereas the speedy attainment of full responsible Government is one of the declared objects of the League and it is now generally felt and recognised that the conception of Swaraj should be translated into the realm of practical politics; and whereas it is the declared policy of the British Government also to enable the people of India to take a decisive part in the moulding of their own destinies which is marked by the declaration of August 1917 and the enactment of 1919 which formed a definite epoch in the history of India as a herald of the time when India will possess full autonomy and will rank as an equal with the Dominions and with the United Kingdom itself as a member of the British Commonwealth;

"The All-India Muslim League is of opinion that the present constitution of India must be amended and urges that for this purpose the Government should undertake a revision of the Government of India Act 1919 and without any delay, appoint a Royal Commission to formulate, after due enquiry and investigation, a scheme so as to place the Indian constitution on a sound and permanent basis with provisions for automatic progress to establish full responsible Government in India and thereby secure stability in the Government and willing co-operation of the people;

"Provided, however, that for any scheme of the future constitution of India, the All-India Muslim League reaffirms and unequivocally declares that the following basic and fundamental principles must be secured and guaranteed namely, (1) All legislatures of the country and other elected bodies be constituted on a definite principle of adequate and effective representation of the minorities in every province without reducing the majority in any province to a minority or to an equality; (2) representation of communal groups shall continue to be by means of separate electorates as at present provided that it shall be open to any community at any time to abandon its separate electorate in favour of a joint electorate; and (3) the territorial re-distribution that might at any time be necessary shall not in any way affect the Muslim majority in the Punjab, Bengal, and North-West Frontier Provinces; (4) full religious liberty, that is, liberty of belief, worship, observances, propaganda, association and education, shall be guaranteed to all communities; (5) no bill or resolution or any part thereof shall be passed in any legislature or in any other elected body of three-fourths of the members of any community if that particular body oppose such a Bill or resolution or part thereof on the ground that it would be injurious to the interests of that community or in the alternative such other method is devised as may be found feasible and practicable to deal with such a case.

"The League hereby appoints a Committee of the following gentlemen as the Central Committee in order to formulate a scheme so far as possible in consultation with a Committee or committees that may be appointed by other political organisations and to report the same to the Council of the League for the consideration of the League and for submission to the Royal Commission when it is appointed. The League also appoints provincial committees with power to add to their number to prepare and define a scheme of future reforms to be submitted to the Central Committee for their consideration."

[The following are the members of the Central Committee referred to above: (1) Mr. Jinnah, (2) Sir Abdur Rahim, (3) Mr. Abdul Aziz, (4) Sir Mahomed Shafi, (5) Sheikh Abdul Qadir, (6) Maulvi Mahomed Yakub, (7) Sir Ali Imam, (8) Mr. Mahomed Hussain and (9) Sir Abdul Qaiyum.]



Mr. JINNAH, in moving the resolution, made a long speech. He said that the resolution laid down as the first proposition that the League desired that the Government of India Act 1919 must be amended and that a definite advance of a democratic character must be made. The Mahomedans were not in agreement with any policy of non-cooperation with the Government nor did they sanction the policy of obstruction or of making the reforms impossible. From the last elections, it was clear that the Muslims wished to work the Reforms for what they were worth. They were anxious to see that their future position in the country was thoroughly defined and secured.

Reverting to the Lucknow Pact he said that it was not made by their request. The initiative came from the National Congress: although there were differences of opinion, he thought that the Pact was the finest temporary solution of the difficulties. He then referred to the Congress point of view on the subject of the Mahomedan position in the country and said that it was far from assuring. No responsible Congressman or Hindu leader had come forward with a concrete proposal with regard to the future of the Mahomedan community. Individual pronouncements were, however, made by one person or other; nothing definite was forthcoming. There was no escaping away from the fact, communalism did exist in the country. By mere talk and sentiment it could not be removed. Nationalism could not be created by having a mixed electorate. The history of Canada showed that a separate electorate system did not prove an obstacle in the progress of representative government. He earnestly appealed to the leaders of the Congress and the Hindu Mahasabha to accept the hand of friendship and fellowship of the Mahomedan community, to meet, confer and exchange views in real seriousness to find out a solution. A resolution to the effect which he was moving to-day was sent in 1924 to the Secretaries of the Congress, but no encouraging reply was received by the League. He appealed to the Muslims and Hindu leaders to let the past be forgotten and the hatchet be buried and meet in a spirit of friendship and fellowship for formulating a common demand. "We desire nothing else but justice and fairness and I assure you that if we, the two communities, can settle our differences, it will be more than half work for responsible Government won. But if, unfortunately, there is going to be a failure and it is our misfortune that we cannot come to a settlement, the next course open to the Mahomedans is that we must prepare our case for placing before the Royal Commission and fight the battle." If the Royal Commission did not satisfy the Mahomedans, they could carry their struggle to the highest tribunal. They would maintain that a principle which was sacred and was a matter of life and death to them must be secured; but he hoped that there was brighter future for the Moslems. He hoped that better minds amongst the Muslims and Hindus will realise that the only course for India was to work in friendship, harmony and co-operation. He hoped that India would rise to that nationhood for which they were aspiring.

A number of speakers then voiced the same sentiment as that of Mr. Jinnah. Dr. Kitchlew said that once the principle of the resolution was accepted by the Hindus, all mistrust amongst the two communities would disappear. On account of their numerical strength, it was for the Hindus to rise to the occasion and by pleasing the Muslims to win their hearts.

Sir Abdur Rahim said that it was impossible to imagine that the Muslim community in India should be satisfied with being relegated to a position of political insignificance under any Government. With regard to the question of the electorate, he said that the principles which were applicable to the conditions in England or other Western democratic Governments were not applicable to the peculiar conditions in India. In some quarters it was stated that Mahomedans returned to the Council through separate electorates were less patriotic and nationalist in outlook. He instanced the case of Bengal and said that the fear was an erroneous one. Mahomedans in the Councils were as earnest set of workers in the case of political advancement of the country as anybody else. If representative Government was required in the country, it was only essential that separate electorates should be continued. Otherwise the Legislatures would no longer be representative. A Government official exercised great influence on the progress of his community. If seventy million Mahomedans were denied a proper share of the administration, it was not possible for them to protect their interests and to advance their cause. Concluding, the speaker emphasised that it was the unanimous desire of the community to have adequate representation in the services and have their own electorate.

Three more speakers expressed their views and the resolution was eventually carried amidst cheers. The proceedings of the League then came to a close.

THE ALL-INDIA

# Political Sufferers' Conference

GAUHATI—THE 27TH DECEMBER 1926.

The All-India Political Sufferers' Conference met at Gauhati on the 27th December under the presidency of Dr. B. N. Dutt. Mr. N. C. BARDOLOI, Chairman, Reception Committee, in his address of welcome, said:

"My dear fellow sufferers, ladies and gentlemen, I extend my heartfelt welcome to you to Assam in this Pandunagar whereto we have come to attend this annual meet which not only serves as the main meeting ground for all independence-loving men of India but also serves to keep alive the only organisation which is expected to be the future Parliament of India, namely the Indian National Congress. But we meet here to-day under the shadow of a great calamity. Swami Shradddhanandji is no more. A man with keen eagle eyes, distinguished erect figure and straightforward and sincere nature, he is still before my mind's eyes. The man whom ten Gurkha bayonets could not touch at Delhi was struck down by the hand of Caine. A thrill of horror and sorrow has passed through the whole of India and it affected little Assam also. However, let us remember that inscrutable are the ways of Providence and God in his infinite kindness might have inflicted the greatest pain with a view to cure a continuous and galling pain. Our greatest concern is that a great sufferer and a brave soldier for the country's freedom has gone out of our ranks leaving us weaker and poorer. Let me also express our profoundest sorrow at the death of the great Chittaranjan who was always the friend, philosopher and guide of the political sufferers. I believe in my heart of hearts that the Indian National Congress has got a definite meaning since the Non-co-operation movement. However much I may differ from any of the parties which now compose the Indian National Congress, my only ambition is that I shall boldly and forcefully put forward my views and fight for my ideals and if I fail and the majority wills otherwise, I shall obey the will of the majority as the views of the country just as they do in England or any other free country.

"In the history of this nation, there was only one period when the whole of India was practically united by a common ideal and practically carried everything before it in their non-violent onslaught and that was in 1921. All honour to the great saint of the century, our revered friend and leader, Mahatma Gandhi. Times have changed since then and are changing fast. Practical ideals are now dead stones or fossils. But the main idea running through all is that we should free our motherland from the evils of a bureaucratic government. There are many amongst us who were perfect No-Changers in 1921, but who have changed to-day to Swarajists or Responsivists. What does it matter? The sufferers have proved by their suffering that they are striving for independence. The great *Paramatman* free and we as small particles of the great infinity must be imbued

with his virtues to some extent. The whole inner being is crying for freedom, the whole nature is pervaded with the ideal of freedom. Can it be considered for a moment that there is a single individual amongst us to-day who does not want to be free? In striving for these ideals, if one has suffered, it is the suffering of a patriot, a real soldier's. Nobody should complain of his suffering. It is the proud privilege of humanity to suffer for the good of mankind. So, my friends and fellow-sufferers, I pray of you never to complain or to parade your sufferings before others. I find that many a weak brothers get embittered by their sufferings when they see wordly-wise men making up their piles of gold and when they called them mad men. True it is that there are many a political sufferer worried and wounded in heart in their struggle for existence. But the wonderful thing is that whenever opportunity arises, it is they who rush to suffer afresh. The band of selfless sufferers are small and scattered and I believe that this organisation of political sufferers will make it possible for them to know each other and to keep up a spirit of camaraderie just as a spirit of camaraderie must exist in the army for efficient working.

"I understand that the principal aim of the organisation is to help them in every possible way. The honourable President-elect will give you a lead regarding the conditions of the political sufferers and I hope he will give you a lead as to how best to help them. I find to my great pleasure that many a political sufferer, free from the worry of securing Government employment, has taken to trade, commerce or other callings. Some of them are doing very well. Indeed, their examples ought to be followed. There are some again who have taken to the production of Khaddar and spinning, simplifying their habits and striving to fulfil the ideals of Mahatmaji. In the excitement of 1921, the charkha found great favour with the masses because it was generally associated with the idea of paralysing Manchester and thereby forcing the Government to come to terms. But shorn of this excitement, Khaddar has now steadily increased in production and it is now being worked as a means of economic salvation of the country. I cannot think of anything better than this for the political sufferers. Charkha spinning and Khaddar business is now a practical business proposition. I leave it to you to decide whether it should not be made one of the primary duties of political sufferers to take to Khaddar work. I do not propose to inflict my political opinions on you any more but I do hope that this Conference will give you a clear and definite lead as to the duties of political sufferers and how best they can help each other and be helped by the public".

### The Presidential Address.

Presiding over the Conference, Dr. Bhupendra Nath DATTA pleaded for constructive work among the masses of India by organising them on an economic basis so that passive resistance could have some force and they would be in a position to challenge the alien bureaucracy. Otherwise exciting them through religious passion and goading them to civil disobedience would only make them food for British cannon. So far the Indian national movement was a class movement, a movement of the middle classes fighting against the domination of the British middle class over India. It was wanting to get control of the means and instruments of production in India in its own hands; failing in it, at least to have

a share of it in the exploitation of India's wealth. The non-co-operation movement having got the masses in their hands, accepted the policy of direct action and the tactics of social revolutionaries of the west. The non-violent non-co-operation policy with its tactics of hartals, satyagraha, civil disobedience etc., when divested of their Hindu phraseologies and translated into international political terminologies, were known as nation-wide general strike, passive resistance, sabotage, boycott, mass action and direct action. All these were tactics of occidental revolutionary parties but the frenzied mass energy broke loose at Malabar and again at Chauri Chaura. The revolutionary middle class leaders got frightened out of their wits in seeing the spectre of revolution which they had helped to conjure up and capitulated at Bardoli and as a result, the off-tide of non-co-operation began. The Indian bourgeoisie alone had proved itself to be important to wrest freedom from foreign masters and the new phase of asking the masses to join in politics had been ushered in. But all honour to those of them who had suffered for their revolutionary political activities and for ushering in the new phase in Indian politics.

"We are poor nameless untouchables and like the story of Achilles and the tortoise the wrath of the alien bureaucracy follows incessantly our heels. Yet we have still dynamic energy left in us which will be of some service to the cause of freedom. Up till now, the masses of India have been exploited for the benefit of the bourgeoisie. The feudal aristocracy has eliminated itself from the arena of the fight for freedom. The bourgeoisie which wants to wrest the political power from its alien rival sought the aid of the masses to gain their object. The Indian bourgeoisie wants to end the struggle with the rival by a round table conference and time is not distant when the bourgeoisie in getting what it wants will withdraw itself from the alien rival and the struggle for national liberation. Rather it will join hands with its rival in exploiting the masses in order to have a share in the means and instruments of production of India. It therefore behoves the workers for freedom to work with this social class and organise them instead of being agents of armchair politicians."

Proceeding, the president urged the necessity for starting a fund to alleviate the sufferings of the families of their comrades and help the needy sufferer. As one who had recently returned from exile, the president pleaded strongly for the exiles. To his opinion these exiles, instead of living a dog's life in India, could be of better service to India from abroad. In every country where they lived they could open our cause to help Indians in every way to establish friendship with the nations of those lands. Such attempts had been made in the past by the exiles both in Germany and America but without help from the motherland they could not do much. The future of India lay in being a part of international politics and in order to enlist the sympathy of other countries, the Indians must do extensive foreign propaganda there.

As for the release of our comrades in Indian jails, there must be country-wide propaganda. Indian people did not dwell in bar libraries and in chambers of commerce but in factories and fields. They must mobilize intellectuals for the service of the masses. Political sufferers know they were poor, but it was the poor people who had always ushered in new eras in the history.

*Work before the Conference.*

*The task before the conference was as follows:—*"All the political sufferers should be knit together into one unit and an All-India association of theirs as the nucleus of a new movement must be formed. In order to train the workers a school must be founded in a suitable place where they will be trained in history, political science, theoretical and applied sociologies, social psychology, economics, civics, etc. After being trained in these arts and imbued with the psychology of the proletariat, they should go to that toiling masses and work amongst them. The field and factory workers and the toiling masses in general should be organised in labour unions. A detailed plan of it can be matured later on. In order to start a new movement amongst the broad masses of the people, a propaganda department has to be established. Books expressing new ideologies and an organ of the movement will have to be given out. Co-operative movement in all its aspects, viz., credit societies, consumer's societies, agricultural loan banks, agricultural co-operative societies must be started which will be of great help to the chronic poverty-stricken masses. The unemployed intellectuals can take up this work with profit, for we will have to appeal to the people to support this people's movement and a fund has to be raised to meet all these expenses. A "paise" fund ought to be started for this aim. Taking these things as the minimum programme in our hands, let us go amongst the masses and organize them. We must realise it for certain that the battle of India's freedom shall never be won in the councils, in the assemblies and by demagoguery."

**Resolutions.**

The following resolutions were adopted by the Conference:—

(1) Resolved (a) that in order to keep a record of the national movement the provincial organisations of the Hindustani Sangha do prepare detailed lists of all political sufferers in their respective provinces and submit the same to the All-India office before 1st (?) 1927, (b) that funds be raised to help the needy and deserving political sufferers and their dependents in accordance with the recommendations of the Executive Committee.

(2) With a view to strengthen the masses of the country and remove their crushing poverty this Conference exhorts all Indians to use as far as possible only Swadeshi things for their daily requirements and to confine their requirements to things made in this country.

(3) That this Conference exhorts the people of India to face all kinds of injustice and oppression with weapons of determined passive resistance.

(4) That this Conference immediately begins organising field and factory workers and the employees all over the country.

(5) That this Conference sends its greetings to the British proletariat and asks their co-operation in the common cause of freedom from all kinds of exploitation.

After appointing a provisional committee with Mr. Purushottamdas Tandon as Secretary, to frame necessary rules for the organisation and another committee to collect funds to give effect to the first resolution the Conference was dissolved.

**Constitution.**

When the resolutions of the Conference were being discussed, Mr. Shaikat Ali wanted to know positively as to what was the constitution of the conference. He further added that unless or until they could know the constitution it was difficult to ascertain whether the conference was pro-Congress or anti-Congress. The Conference appointed a committee to formulate a constitution.

## SECOND SESSION OF THE

# All-India Volunteers' Conference

GAUHATI—THE 27TH DECEMBER 1926.

The second session of the All-India Volunteers' Conference was held at Gauhati on the 27th December under the presidency of Pandit Motilal Nehru. The President of the Congress, Mrs. Sarojini Naidu, Maulana Abul Kalam Azad, Mr. Horniman, Maulanas Shaikat Ali and Mahomed Ali and Mrs. Gandhi attended.

Mr. Kuladhar CHALIHA, in welcoming the delegates to the Conference, said in the course of his Address: "Discipline is the guiding principle of all volunteers and they must be ready and willing to merge all their personal predilection to that of their commandant. It would be useless to call oneself a volunteer unless one is punctual and thorough in his work. It has been brought to the notice of authorities of several Seva Dals that in some places threat to strike and refusal to take food are the most embarrassing situations in which the commandants were placed by their volunteers whose guiding principle should have been to put up with all inconvenience in the matter of food, raiment and accommodation. As volunteers for the national and social cause, they must always be prepared to bear all hardships and privation, difficulties and inconveniences. The movement is a peaceful movement and so they should work in a non-violent way. Their duty is not to question why. Theirs is to do and die. Self-assertion in a soldier is a dangerous thing and a true volunteer like a true soldier should always obey implicitly.

"Service and sacrifice are the essential qualities of volunteers. We are a subject race and our sacrifice must be in inverse ratio to the degree of our subjection. Otherwise there is hardly any hope for regaining our freedom and liberty. To Mr. Hardikar belongs the credit of organising and expanding the volunteer movement and it is up to young men of India to organise on the line he has suggested. The volunteer movement is the mainspring of their national life and unless they have an efficient volunteer force they would never be able to work and Swaraj would be out of question."

In conclusion, he appealed to all to protect the national flag from all dishonour and if necessary to die for it, for the flag was the symbol of national self-respect and national pride.

## Presidential Address.

After the Reception Committee Chairman's address was over, Pandit Nehru delivered a stirring speech in English. He regretted the absence of Mr. T. C. Goawami, the President-elect due to illness. The Pandit humorously said that he was not the president but was there to introduce the elected president who was behind the scene. The Pandit expressed his thorough concurrence with the beautiful speech of the President of the Reception Committee and said

that the latter had put in a nutshell the duties of volunteers to the country. The immediate cultivation of an *esprit de corps* was required among volunteers without which no service could be rendered to the country. He said that the volunteer movement was yet in its infancy, but the day was in sight when it would take the form of a regular trained army. He urged that with the exception of arms required for the military, there should be nothing wanted in the Indian army of volunteers. No country had ever achieved freedom without sacrifice and if Indians wanted freedom, sacrifice should be their motto.

Continuing, the Pandit regretted at the harrowing happenings in the country which, he said, had taken a dangerous form in the assassination of their revered leader. The mischief required to be nipped in the bud. The Pandit was of the belief that the day would come when they would be able to replace the police by volunteers for which a perfect organisation was necessary. Concluding Pt. Nehru said: "Volunteers, remember you are soldiers of unity. You must girdle up your loins to restore unity. You are the future army of India."

Mr. Srinivasa Iyengar, the Congress President, next distributed the prizes to Karnataka volunteers for enlisting 15,000 volunteers. Mr. H. K. Krishna won the first prize for enlisting 1,800 members.

Two resolutions were then passed in five minutes. The first urged the opening of branches of Hindustani Seva Dal in all towns, districts and provinces and requested the Congress organizations to help in that matter. The second appealed for financial help. Maulana Shaukat Ali, Messrs. Harisarvottam Rao, Rajendra Prasad and Mrs. Perine, grand-daughter of Dadabhai Naroji, spoke very briefly on the resolutions.

Mr. A. Swali of Burma donated Rs. 500 on the spot. With a strong appeal for funds by Maulana Shaukat Ali and usual thanks to the chair the meeting dispersed. All business was over in an hour. Mr. Goswami's short presidential address was read by Mr. Harisarvotam Rao. The following is the text:—

#### Mr. Goswami's Address.

Delegates, Volunteers, Ladies and Gentlemen,

The composition of a Presidential address to the Volunteers' Conference for the second year in succession, I find, is a difficult task. It is not merely a literary difficulty; it is the difficulty of one who in inaugurating a new year has also to render an account for the old year. The honour—which I prize as beyond my deserts—of being called upon to assume the responsibilities of another session of the Volunteers' Conference is embarrassing; for I feel I have to submit myself not only to considerable self-examination but also to a public verdict on my tenure of office as President of the All India Volunteer Board during the year which is about to close. And, after all, I am not able to present to you any glowing record of proud achievements. Our efforts have been humble; the measure of their fruition has been even humble. But the infant movement is getting out of its swaddling clothes and its lisping speech. It is learning to struggle against inclement circumstances; It has begun its conscious struggle for existence; its appeal is in louder tones and in accents more distinct, determined to have the ear of India; it is acquiring strength of body and mind by waging contention against forces of disruption and the decay of our national solidarity.

As I began by telling you, we are unable to offer you proof of concrete achievement. Yet, if you look around, you will, I am sure, endorse our claim to those intangible results which are not the less valuable because they elude ocular grasp or because they can be argued out of dialectic existence. The message of our movement has reached the furthest ends of our country and has provoked thought in

the minds of thousands of men and women, who are realising the need and the usefulness of co-ordination of activities and the organisation of disciplined action. Under the influence of a great political upheaval, such as we had in 1920 and 1931, volunteers enrolled themselves in tens of thousands to serve their countrymen and to defy the unjust ban of the foreign Government, presenting a spectacle of enthusiastic patriotism which thrilled the country and awed the tyrants. But that was temporary. So are organisations which grow up in connection with specific events, some of which render marvellous service. Our aim has been, and, I hope, will continue to be, to perpetuate the volunteering spirit and to give permanency to institutions, which encourage and develop it. We want to give a direction to the entire volunteer movement and to infuse it with a national purpose.

We must not aim at centralisation, but rather the opposite; and the ties and strings that should bind different organisations must be silken threads of spontaneous loyalty, the basic fibre of which is freedom. The All-India Volunteer Board must realise that good Government is that which, without sacrificing efficiency and discipline, appears to govern least. The new constitution which we framed in Delhi in February last gives almost complete autonomy to provincial organisations. I am convinced that the provinces should develop their volunteer organisations in their own way. At the same time some practical hints and guiding principles which experience has taught us to regard as essentially helpful, should be accepted by all.

Last year I emphasised the non-partisan character of our movement. At the same time I pointed out our connection with the Indian National Congress. We must support the Congress unless new developments make it inadvisable to do so—a contingency, which I am loath to contemplate. I appeal to the Provincial Congress Committees to take up more earnestly the work of building up Provincial Volunteer Boards, and to induce the Districts to take up the work. The need for volunteers is constantly felt (1) in times of threatened disturbance, (2) for gatherings of pilgrims on sacred days, and (3) for Congresses and Conferences. The time has come when permanent organisations are required, and efforts, however glorious, are proving inadequate.

One great service which the Volunteer movement can render the Congress is the enlistment of members of the Congress. I hope this year's Congress will recognise this.

In conclusion, I must express the country's indebtedness to our General Secretary, Dr. Hardiker, whose untiring zeal never yields to despondency even when it receives little response.

I apologise for my inability to deliver the address personally at Ganbati. I am prevented, under medical orders, from undertaking the long journey. I trust the deliberations will be ably conducted with the co-operation of those who compose the Conference.



## THE TENTH SESSION OF THE Non-Brahmin Confederation

MADURA—THE 25TH & 26TH DECEMBER 1926.

The tenth session of the Non-Brahmin Confederation opened at Madura on the 25th December 1926 under the presidency of Sir A. P. Patro. In welcoming the delegates to the Conference Mr. M. T. Subramana MUDALIAR, Chairman of the Reception Committee, said that their movement was both national and democratic. It was started for the purpose of rousing various communities from their long stupor and lethargy to social and political consciousness. It was not based on any narrow political principles or hatred of any particular community. The idea underlying the movement was equal opportunities for all. He added that they were not against Brahmins but against Brahminic monopolisation of power at the expense of other communities. Co-operation of all communities especially that of Brahmins and non-Brahmins, was necessary for the salvation of the country. But, he maintained, co-operation between the two communities must be natural and spontaneous and this could be effected only when an illusory sense of superiority by birth becomes extinct in their Brahmin brethren. Continuing, he said that though their party had got a set back in the recent elections, yet the fact remained that principles for which the party stood, remained unchanged and unshaken. The set back was due to lack of organisation and of their gross neglect of electorates. So he suggested that the first business of the confederation should be to re-organise the party and start the work of associations throughout the presidency so that by the time the next elections came, they might be so well organised to come in such a large majority as to outnumber all possible combinations of other parties against them in the council. Only then they could be in a position to take their share in the reformed constitution.

### The Presidential Address.

Sir A. P. Patro began his address by referring to the dominant "Time Spirit" of Nationalism, which, he said, required leadership of persons of experience, talent and above all practical statesmanship. He then feelingly referred to the tragic death of Swami Shraddhanand. He said that the vision of responsible government was before the nation and the leaders who desired to be true to their country could no longer afford to be visionaries. The formation of the *Justice* movement had proved of immense practical and political utility to the Madras Presidency. Patriotism required the full utilization of every scheme of reform for what it might be worth and the policy of obstruction and rejection, whether from within or without the Council, should be opposed by those who had the good of the country at heart. To oppose where we should co-operate, would be the height of unpatriotism. The *Justice* party had been discharging its functions as a constitutional party ever since the advent of the non-co-operation movement,

It has been actuated by service of the masses and has struggled hard to redress communal inequalities, preponderance and monopoly. The Reforms scheme, declared Sir A. P. Patro, made a definite advance towards responsible government. Notwithstanding its defects, it deserved to be worked for what it was worth.

Sir A. P. Patro maintained that a close analysis of the elections in the Madras Presidency showed that the country had been with the *Justice* party and returned a substantial majority of constitutionalists and nationalists not opposed to communal justice. He urged that the next step in their political advance must naturally be provincial autonomy under adequate safeguards. Unless those who had gained actual experience co-operated with the Statutory Commission, complications and mistakes might set in and the object of British statesmen might not be gained. The Central Government should be correspondingly modified with the advent of provincial autonomy.

He emphasized the necessity of political education of the masses for the political evolution of the country, and said that caste must gradually disappear and until its disappearance caste bigotry and exclusiveness must be replaced by tolerance, good-will and a spirit of equality. The task called for immediate attention in view of the constitutional advance ahead. He concluded by saying: 'It is of utmost importance that efforts should be made to promote inter-communal cordiality and good-will, as communal antagonism is certain to prove disastrous to national advancement. Every community must be trained to think of what is due to others and the best minds of the country must be directed to achieve this result.'

### Resolutions.

The confederation then adjourned to meet again on the next day the 26th Dec. when it passed resolutions relating to temple entry, the release of the Bengal prisoners or their trial in courts, equal treatment in jails and railway refreshment rooms, the immediate establishment of Tamil University and permanent settlement in the presidency. The confederation hoped that the Round Table Conference on the South African question would bring about satisfactory results. It was resolved, to put the work of the confederation on a stronger basis, to form a committee and establish youth leagues throughout the presidency.

A resolution supporting and appealing to the Viceroy to give his assent to the Hindu Religious Endowments Bill was passed. Mr. Ramaswami Mudaliar, in moving the resolution, warned that if this Bill which had been passed by two successive Legislative Councils was now interfered with, non-Brahmans of every school of political thought would stand as one man to condemn it.

The Raja of Panagal, leader of the party, speaking at the conclusion of the conference, said that their movement stood for equal opportunities for all and wanted to put down monopolies. Their enemies believed that by defeating the *Justice* party they would put down the *Justice* movement. They counted without the host. Their defeat had only roused them. He was glad to sit in the opposition after six years of power.

The confederation then came to a close.

TWENTIETH SESSION OF THE

# U. P. Provincial Conference

*KASHIPUR—THE 5TH DECEMBER 1926.*

Babu Shiva Prasad Gupta, president-elect of the U. P. Provincial Conference, reached Kashipur (Naini Tal) on the morning of the 4th December. In the afternoon he was taken in procession through the main roads of the town.

The conference met at 2 p.m., on Sunday, the 5th Dec. Among those present, besides the president-elect, were Pandit Govind Ballabh Pant, Mr. Mohan Lal Saksena, Babu Sri Prakash, Babu Sampurnanand and Chaudhri Raghubir Narayan Singh.

## The Welcome Address.

Pandit Govind Ballabh Pant then read out the welcome address of Kunwar Anand Singh, Chairman of the Reception Committee. The Kunwar declared that only a return to the old civilization of ancient India could solve the problems of the world. But the world would not assess that civilization at its proper value until India had regained self-Government. Petty things, he continued, should not be allowed to detract their attention from greater ones. So long as India did not get Swaraj, what difference did it make if they had more schools and hospitals, better roads or a few more Government posts? They must, therefore, concentrate their energies on their efforts to get Swaraj. Mr. Gandhi had shown them the way and it was for them to proceed along it. He made a vigorous appeal for Hindu-Muslim unity.

## The Presidential Address.

Pandit Govind Ballabh Pant then proposed and Chaudhri Raghubir Narayan Singh, Thakur Manjeet Singh Rathore, Mr. Mohan Lal Saksena and Pandit Badridutt Pandey supported the election of Babu Shiva Prasad Gupta to the presidential chair.

Babu Shiva Prasad GUPTA then read his address in Hindi, of which the following is a summary :—

Speaking about the meaning of Swaraj, he said that its only simple meaning was "our rule" which meant power to decide the system of Government of our country in accordance with our own wishes, free from all interference by foreigners. As to the method of achieving Swaraj, he laid stress on constructive programme to be adhered to patiently and perseveringly which alone could create that atmosphere which was necessary to carry out non-co-operation or civil disobedience successfully.

He asked the Muslims to consider seriously if it was possible for the civilisation of Arabia to flourish in Indian soil. The mode of living and the

culture of India would surely be quite different from that of Arabia. He urged them to follow the well-known proverb "When in Rome, do as Romans do." On the other hand he asked the Hindus to bear in mind that the time of egoism had gone and that there was nobody who could be called "Melchcha."

After laying great stress on the production of Khadi without which, he explained, India could not be free in respect of cloth, he turned to the question of councils. He thought it a waste of energy, time and money to seek election to the present councils, for "the freedom's battle could not be fought within them." But "at the same time" he continued, "he could not completely ignore them, as much harm to the country was likely to be done by their mere existence."

He could not favour the policy advocated by the Independent Congress party or the Responsive Co-operation party which was in a way similar to the policy of the Moderates or Liberals. He suggested that the Gauhati Congress should make its policy regarding councils clear, and should resolve that if Congressmen did not secure the majority of seats in the Assembly and in more than half of the total number of provincial councils in the country, they should walk out from them. But if they secure the requisite majority they should be permitted to give trial to their policy up to March and April, and in case it was not possible for them to do something substantial within that period, they should be asked to come out of them.

He suggested that at least two hundred paid workers should be appointed in each province by spending a lakh of Rupees to carry out the constructive programme of the Congress in tahsils and districts, and this, he thought, will revolutionize the whole atmosphere of the country in five years. He supported foreign propaganda and federation of Asiatic countries.

In the end Mr. Gupta drew the attention of the audience to the resolutions passed recently by the Imperial Conference which rendered the dominions practically independent of, and no longer subordinate to the British Empire. He regretted that although India still remained where she was erst-while, yet the Maharaja of Burdwan declared that India was proud of Britain's sovereignty over her. "It is a matter of shame for us" said Mr. Gupta "that still there are Indians to be found who take pride in India's disgraceful bondage." The Conference then adjourned.

## SECOND DAY—THE 6TH DECEMBER 1926.

The Conference met again in the afternoon of Monday, the 6th December. The first resolution, which was put from the chair, welcomed Mr. Gandhi who was to visit those provinces in January.

Pandit Shrikrishna Dutta Paliwal moved the *SECOND* resolution which recommended to the Gauhati Congress to resolve that no member of any Congress executive should act against the decisions of the Congress, and if any member did so he must be removed from the executive.

Pandit Gauri Shankar Misra moved an amendment which fell for want of a seconder and the resolution was carried.

Babu Sampurnanand moved and Mr. Paliwal seconded the *THIRD* resolution which congratulated all who had helped the Congress in the elections, regretted that certain leaders had opposed the Congress, thus further streng-

thening the bureaucracy, and urged the Gauhati Congress to decide some definite policy and programme for work within the Council.

The speaker said that the heart of the populace was sound and there was faith in the Congress and the motives of Congressmen, but the interference of others had spoiled national work. He did not impugn the motive of the Congress leaders but jealousy and lack of confidence ruined them as now in the past. Those who have opposed the Congress have worked against the country, even if their motives were good. Great leaders have said that the Congress crushed Hindu interests and invited the Afghans. Now a definite policy, he continued, was wanted for those who had gone to the Council as well as a definite programme for those who were outside the Councils.

Several speakers took part in the discussion regarding this resolution. After it was seconded by Mr. Srikrishnadutta Paliwal an amendment to the effect that the Congress should have nothing to do with the elections was moved by Mr. Gaurishankar Misra. The amendment was seconded by Mr. Ramsaran Singh. Maulana Shaukat Ali said, he still thought that the Councils were useless. He was a soldier and wanted all to have the spirit of a soldier and obey the Congress. Those Congressmen who were opposed to the Cawnpore resolutions should have resigned from the Congress before opposing the Congress candidates. On return from abroad he was surprised to find quarrels in the Provincial Congress Committee and none heard his instructions, though he was elected its President. Mr. Sampurnanand replied briefly the arguments raised against the resolution. The amendment was rejected and the original resolution was passed unanimously.

Maulana Shaukat Ali then moved the *FOURTH* resolution recommending widespread use of charkha and khadi as the sole means of the country's progress and freedom. Mahatmajji told him that some important members of the Agricultural Commission held that in an agricultural country charka was the possible life-giving cottage industry. It was passed unanimously and the meeting adjourned.

### THIRD DAY—THE 7TH DECEMBER 1926.

When the conference re-assembled on the next day, the 7th December, a resolution was passed condemning the grazing tax levied in the hill districts.

The *SIXTH* resolution, moved by Pandit Govind Ballabh Pant, regretted the communal dissensions which enabled the Government to take away old privileges like those of taking Ramlila processions and good-will between the different communities. The resolution was carried.

Babu Purshottam Das Tandon moved the *SEVENTH* resolution to the effect that communal electorates had proved very harmful and that the Gauhati Congress should work for their abolition. It was passed.

Thakur Munjit Singh Rathore moved the *EIGHTH* resolution protesting against the treatment meted out to under-trial political prisoners in general and to Babu Damodar Swarup Seth, an accused in the Kakori case in particular. The resolution was supported by Babu Raghava Das and passed.

After the usual vote of thanks, the conference dissolved at 6 in the evening.

EIGHTH SESSION OF THE

# Andhra Provincial Conference

ELLORE—THE 28TH NOVEMBER 1926.

The Eighth Andhra Provincial Conference commenced its momentous session on the 28th November at 2-30 p.m. in the Panduranga Cinema Hall, Ellore, with much eclat. The hall was filled with delegates and visitors, numbering about 2,000. On the big dias were seated the President-elect, distinguished visitors, and leaders.

After the singing of national song by the boys and girls of Santiniketanam of Guntur, Mr. A. Govindachryulu, Chairman of the Reception Committee delivered his welcome address. The following are interesting extracts from his speech :—

"The duty of giving you a hearty welcome on behalf of the West Godavary public is bestowed upon me by the Reception Committee, and I accordingly welcome you cordially to the Conference.

"In a few days the Indian National Congress will meet at Gauhati to determine the programme for the next year. As our resolutions will undoubtedly influence the deliberations of the Congress, we have to discuss all the problems calmly and fully.

"Though at the last Andhra Provincial Conference at Masulipatam a resolution had been passed, defining Swaraj as complete Independence, it was however not accepted by the Congress.

"For all living beings, from the lowest to the highest, the desire for liberty is inborn. This desire for liberation from bondage to supreme bliss will always be vibrating in our hearts and there shall be no mundane influence to obstruct the heart's desire to obtain that supreme bliss.

Indians Abroad.

"By colour prejudice, we are subject to innumerable hardships in the Dominions. If the Empire is to serve as a peace-maker between itself and other free countries, there must be peace within the Empire itself. There must be harmony and goodwill amongst its various component parts. Instead of that, we find an organised attempt made to drive out the Indians from the Dominions.

"At the Imperial Conference recently held this problem was not at all touched. It is plain that the Empire is meant only for white Colonists and the coloured races have no voice in it. The policy of the radical imperialists to make it the home of white civilisation will be realised if things are allowed to drift as at present.

"There is no affinity between the culture and traditions of the East and the West. Cultural affinity exists among the various nations of the East. Such universal persons as Tagore may dream of a fusion of East and West. The attempt is highly visionary and not at all practicable. Unity is between equals. It is futile to visualise an union between two, when one party assumes airs of supremacy. The white man imagines himself a superman and

classifies all non-whites uncivilised. It is high time that all the Asiatic should organise themselves into a confederation for self-protection. Now it is the duty of the Congress to take all possible steps for the immediate formation of the Asiatic Federation.

#### League of Nations.

"Though the coloured races are not yet ready to organise themselves even for self-protection, yet the white nations, soon after the war, have actually begun to organise themselves into a league of nations to protect their own interests and maintain their hold upon the coloured races of the world. This institution failed miserably to attain its objects. It cannot protect the coloured subject races against the tyranny of their white masters for it is dominated by Imperialists. Now at least the Asiatic countries must wake up and disown their belief upon the mission of the league, and organise into a federation.

"In order to counteract this vicious attempt, strong propaganda work must be carried out only to protect our own interests and not for the sake of retaliation. But in foreign countries this may be misrepresented by the Government. People who travel abroad to become acquainted with foreign countries are influenced by British Embassies to speak and write about only the British point of view. When such untruthful propaganda is going on in the name of India we must at an early date, check this lie by means of efficient foreign propaganda.

"As we all know our liberation depends upon our own efforts—notwithstanding the formation of the Asiatic League and foreign propaganda. Unless we organise ourselves and strongly agitate to get our National Demand, it is futile to depend upon foreign interference and yearn for British justice. All reforms which were supposed to be bestowed upon us, were the outcome of strong popular demand.

"Lord Birkenhead is alarmed at the thought of the British relinquishing a bit of their present hold lest we should fly at one another's throat. He dreams only of streams of blood when once our irons are loosened a little bit. The other doctrines enunciated by our rulers are: (1) That the black races are not fit to enjoy political liberty. (2) if the whiteman's burden is removed from the groaning shoulder of the black they would cut each other's throats, (3) that the whites are the appointed masters to uplift the blacks from their degradation all round, (4) that the right of ownership and enjoyment of all the land said to be conquered by the sword vests with the whites for ever, and (5) that though this doctrine of conquest is outrageously spoken at all times, the subject races have to respect Law and Order and not attempt at all an armed revolt.

"His Lordship wants that the Royal Commission should only weigh our fitness and hints insultingly—white Empire before him dancing—that not only British but also Colonial Statesmen may form its panel. In none of his speeches does he speak of the Mandalay detainees. What is it for that he demands co-operation from India? Is it only for more submission and to disarm us entirely?

#### Elections and After.

"In 1923 elections the party advocating offices was to a large extent defeated. This year's elections also clearly manifested the true index of the country by returning Congressmen in large numbers. It is plain that N. C. O.

doctrines spread by Mahatmaji have been planted deep in the hearts of the people and they know full well without extraneous tuition and influence the relative value of contending parties. So, in the interests of the country, all parties should respect the verdict of the nation in favour of non-acceptance, as far as we can judge from the results in Madras and elsewhere and they should join the Congress, the only representative body of the Nation.

"At present no compromise is possible. The nation has returned the Congressmen on the ticket of non-acceptance of Office. If Congressmen now turn their eyes towards offices, they are deliberately prejudicing the nation's faith in the Congress.

"Our aim is to achieve Swaraj. We are not to reach our goal at the shortest time. If we can realise that all our evils fly away, what is then the programme for us now to arrive at that result? Any such programme must not be contrary to the fundamental principles of the Congress.

"There are, at the present day, three parties in the Congress: the Responsivists, the Swarajists and the No-Changeers. Leaders like Messrs. Venkatappaiah, Vallabhai Patel and Sham Sundar Chakravarty are ever ready to sacrifice their lives for the achievement of Swaraj. Responsivists like Messrs. Kelkar and Jayakar, Lalaji and Malaviya have made immense sacrifices for the country and it is idle to question their patriotism and fidelity to the country. Hence it is the duty of the Swarajists to chalk out a programme in order to make the two groups join them and fight shoulder to shoulder against the bureaucracy. However desirable this amalgamation may be, the fundamentals must not be lost sight of. The Council programme was started with the aim of wresting the Councils from the Government supporters and show to the world at large their utter futility. During the last three years this aim was carried out in the Assembly and in the Councils of the C. P. and Bengal especially.

"Our programme should now therefore be a revision of the Cawnpore resolution, with slight alterations. At the very first sitting of the Councils, the Swarajist's have to vacate their seats with a declaration that they are going out of the Councils to organise the people for direct action. This method of action would expose the Government better than the obstruction both in and outside the Councils. This can be done by the Swarajists, whether they may be in majority or minority. We cannot make the Councils work without a quorum, under their present constitution. In the Councils when there is a majority, it can be shown that they are worked only by Government members. If the Swarajists are in a minority, obstruction is impossible without the support of the Independents or Responsivists. As the latter are for offices, the Swarajists have either to support the Ministry or failing to obstruct, have to remain in vain.

"For any programme to be carried out successfully we cannot but think of Hindu-Muslim unity first. As Mahatmaji said that the foreign Government does not try for this unity, for trying for Hindu-Muslim unity and attempting to consolidate their power in India are two contradictory purposes. The policy of divide and rule is an age-long one since the East India Company stepped into India. Our leaders must try to spread this gospel of Unity among the masses.

"When once the work with the masses is taken up, in order to make them intelligently take to our programme, they must be lifted from their present position and they must be weaned from the habit of drink.



"Every year foreign cloth worth Rs. 70 crores is imported into India. By spreading Khaddar, we could stop the outflow of our wealth and thus help the poor. If we are to stop the whole outflow an intense propaganda throughout the length and breadth of our land must be carried out.

"All this intensive programme, keeping the Councils vacant, boycott of drink, labour organisation and constructive work is to be laid down only for one year. In this work, the no-changers will work whole-heartedly with the Swarajists; we have to accept a programme like this at the ensuing Congress and request Mahatmaji to lead us again as the period of silence which Mahatmaji had enjoined upon himself is well high over.

"I hope all these suggestions will be fully considered under the Presidency of Mr. K. V. R. Swami Naidu. I need not introduce Mr. Swami to you. In 1921 at the call of the Congress he had renounced his practice and was for a time His Majesty's guest, having disobeyed the Magisterial order. I thank you all, Sirs, on behalf of the Reception Committee for having elected such a leader to our Conference and give you, once again, my hearty welcome and request Mr. Swami Naidu to take the chair".

### The Presidential Address.

Then the President, Mr. K. Viraraghavaswami, delivered his presidential address which was greatly appreciated. The following are extracts from the address :—

"I thank you from the bottom of my heart for choosing me for this office of trust, honour and responsibility. There is a general impression even among the educated classes that India was always governed by foreigners and that it cannot defend itself even if Swaraj is granted to day".

After tracing the ancient history of India, the President said :—

"It is clear that India had Swaraj for thousands of years and the foreign invaders, that conquered the country and established their sway over the land, could only occupy portions of India. The foreign rulers were not allowed any permanent hold on the country. The Hindu kingdoms that remained unconquered developed their resources and reconquered the country. It is absurd to say that India was always under the foreign rule or that Indians had become so weak that they could not defend themselves.

"The great world war broke out in August 1914. England cried for help and India with her generous heart responded. She had forgotten for the time being all her grievances and stretched every nerve to help England in her hour of distress. The Great War was won and we have to see how, after the war, the pledges made by England to India were redeemed.

"The operation of the Defence of India Act, which was purely a war measure, was extended. Under the Defence of India Act the executive were empowered to intern any person in a particular locality and any restriction might be laid upon him. A man might be arrested and kept indefinitely in jail without being brought to trial. For those who were to be tried new courts and new laws of evidence and procedure were prescribed.

"Under this law, terrible mischief had been done. Persons whose guilt was never brought to light were deprived of their liberty. Some were interned in unhealthy places. Some actually went mad or were nearly so. India wanted freedom: the bureaucracy made preparations to put her in chains!"

The President, after describing the horrors of the Rowlatt Act and other measures passed in the name of law and order and the tragedy of the Jallianwallah Bagh, said: "There is indeed a destiny which shapes the ends of India however rough we may hew them. I am a believer in the destiny of India. We passed through a period of preparation: rehearsing is over. The real drama has to be enacted, God willing, in the near future. Who else can be a successful stage manager during the period of our preparation than our kind, genial and generous Gandhiji? May he live long, so that he may guide us through in our final enactment also! For Mahatmaji despite his detractors is a believer in the maxim, minimum of suffering and maximum of achievement.

What Non-co-operation has done for us.

"There is an impression among the old moderate friends that the hand of the clock of progress has been set back by the acceptance of Non-co-operation by the Indian National Congress. The idea is the result of a feeling that they themselves have lost hold on the country on account of the Non-co-operation programme. The old moderate politician never knew what it was to suffer or to sacrifice for the country. The highest sacrifice he could think of was to attend the Congress during the Christmas holidays and deliver a fine English speech or two on the Congress platform. The times have altered. Politics now mean intense work and sacrifice. The fruit of the non-co-operation policy is not, as our moderate friends think, undoing what the old politicians have achieved but putting India on the path of freedom.

"It need not be detailed here how much the country has suffered on account of the whole-hearted support given by the Justice Party to the Government. By the time of the elections in 1923, the Justice Party had consolidated its power by the distribution of loaves and fishes in the shape of nominations to local bodies to Presidencies and appointments high and low.

How Congress Candidates Succeeded.

"The Congress in its Session at Cawnpore gave the mandate that the Legislative bodies in the country be captured by the Congress. Most of the Congressmen with a clean conscience took active part in the recent elections. The leaders of Andhradesa and the Tamil Nadu started the work in good terms. The voice of the Congress was heard very little in the country after the previous elections. Mr. Srinivasa Iyengar, the President-elect of the Congress and Mr. Prakasam, the Andhrakesari, toured in Tamil Nadu and Andhradesa respectively and created a favourable atmosphere for the elections. People began to wonder if non-co-operation was really dead.

"In Andhradesa Mr. T. Prakasam visited all the important towns and villages and had selected the men who commanded the confidence of the electorate as candidates. The success of the Congress candidates in the various districts is in my opinion, due to four reasons, namely, the intense loyalty of the great body of voters to the Congress, the belief of a large majority of the people in the basic principles and the practical wisdom of the Congress programme, the ability and honesty of Congress leaders and last but not the least, the utter disgust of the electorate and the people in the province towards the Justice Party. Mr. Prakasam's great belief in the inevitableness of our success, his untiring energy and his spirit of sportsmanship were everywhere requisitioned and he was never found wanting.

### Justice Party and what it stands for.

"The Justice Party was formed in the early part of 1917 just before the arrival of Mr. Montague in India. The advanced political bodies demanded Swaraj within the British Empire. Provincial autonomy was demanded by some and others asked for autonomy for the provinces and some responsibility in the Central Government. The Justice Party alone opposed every one of the above demands and asserted that the members of the Justice Party were averse to any violent and sudden constitutional changes which would impair the authority of the British Government. Just at the moment when Indian aspirations were to attain fruition, there stepped in a party shouting "stop, stop," "Don't grant us anything substantial. We don't want freedom. All that we want at the present juncture is lucrative jobs to some select few of us. The country's freedom may wait, but we cannot wait. Give us the jobs and we willfully co-operate with you." It is not possible for us to find out a parallel case in any part of India.

"The Justice Party never had any respect for the Congress. The few amongst them who were of the Congress severed their connection with it as soon as they saw prospects of office. The Congress men abstained themselves from entering the Legislative Councils in 1920 and that was the best opportunity for the Justice Party to enter the Councils. They did get in, in large numbers and had absolute majority during the first term. How they supported every measure of tyranny, we are all aware of. If patriots like Yakub Hussain were arrested, the leader of the Justice Party came in with a special plea for the Government. If other patriots of this Presidency were arrested and convicted, the Justice Party expressed their joy at it. If the land revenue in the Tanjore District was enhanced by the Government, it had the full support of the Justice Party. If the lands of the Guntur ryots were to be sold within 24 hours without the usual formalities, law and procedure, the Justice Party gave its whole-hearted support. Thus, in return for the jobs given to it, the Justice Party supported the Government through thick and thin. It is not easy to imagine how far the country would have advanced if the Justice Party had cared and worked for the freedom of the country. The good it may have tried to do lies buried in Government records and the evil it has brought is there written large in its book of fate.

### Present Political Situation.

"At Cawnpore the Congress had laid down the following programme:—The work in the Legislatures shall be concentrated on the national demand made by the Assembly by its resolutions of the 1st February 1924 and 8th September 1925 and the following action shall be taken in that connection:—1. The Swarajya Party in the Assembly shall, at the earliest opportunity, invite the Government to give their final decision on the said demand and in case no decision is announced before the end of February or the decision announced is held not to be satisfactory by the Working Committee of the Congress, the party shall, by adopting the proper procedure, intimate to the Government on the floor of the house that the party will no longer continue to remain and work in the present Legislatures, as heretofore, but go into the country to work among the people. If the Government had refused to grant the national demand made by our representatives in the Assembly, that would not have been so great an insult as their attitude not to give any reply at all. What is our next step?

"This is the main question to be considered now and to be placed before the next Congress. I am quite sure you will not say that though the Government has not yielded to our national demand we should go and prostrate ourselves at the feet of this proud Government, beg for its forgiveness for our ever demanding anything from it. I am proud that this slave mentality has left us long since. Any how this is my personal view and it is for you in this sitting to consider the matter and come to a decision.

"So far as this Presidency is concerned some of our friends say that we should take up office and turn out the Raja of Panagal and his men. I know why this extraordinary view is expressed. This Presidency has suffered from the misrule of the Justice Party for six long years. So, our friends feel that we should accept office if not for any thing else, just to keep out the Justice Party from office. I quite sympathise with all those that entertain this view. But I say, let us hear patiently wrongs that are done to us by the Justice Party. Their misrule does not endure for ever. We have to settle our accounts with the bureaucracy first. We can look to our friends later on. It may be that the Justice Party men will adopt our creed when they feel that victory is within sight. These are timid people. They have no heroism in them. They are afraid of the wrath of the bureaucracy. They have no faith in themselves. They admit that if the British withdraw themselves to-day they will be in the grip of the Brahmins. You cannot expect such people to fight for Swaraj.

"I pray to Almighty God that He will give us strength to successfully fight with the bureaucracy and obtain Swaraj. I am not afraid of Panagala and Patros. When the Swarajists were but a handful in the Councils last time they were by their powerful voice able to keep Panagalites at bay and they ultimately brought down the Justice ministry. I do not know why we should be afraid of Panagalites now—when they are thirteen and we forty-seven. I think of Desabandhu Das and the years 1923-24 and 1925 during which he, with a gallant band of forty followers in the Bengal Council, whose strength was full one hundred and forty, gloriously carried out his promise to the electorate by dealing death blows to the Dyarchy which he loathed from the depths of his heart. I wonder how he was able to achieve that end. May he from the Heavens inspire us to emulate the example he set for us during the period of his strenuous life on earth.

#### Need for United Action.

"One other word, gentleman, I finish. Before I close I feel I should venture to make a very humble suggestion in the way of effecting a compromise between the two hostile parties in the Congress. Now that the general elections are over and now that it is clear that nowhere either the Responsivists or the Swarajists are in a majority, I feel the Congress leaders should offer to invite the Responsivists and try to close up the ranks. We should learn to forgive and forget the wrongs we may have done to each other during the period of elections. United we stand, divided we fall—is a maxim whose truth should be kept before our mind's eye. Let us unite and march forward towards our sure destiny, the attainment of Swaraj in the near future. Hindu and Mahomedan and Brahmin and non-Brahmin—all should unite and with one mind march towards our goal. Let us all rise above selfishness, personal and communal, so that beloved and beautiful India may be free". Vande Mataram.

Messrs. S. Srinivasa Iyengar, S. Satyamurti, A. Rangaswami Iyengar, Muthiah Mudaliar, Burra Satyanaraya then delivered speeches congratulating Andhra-Desa on the superb victories secured to the Congress. The proceedings for the day closed at 6-30 p.m. amidst great enthusiasm.

## Proceedings and Resolutions

### 2ND DAY—THE 29TH NOVEMBER 1926.

The conference resumed its sitting on this day in the morning at 8 o'clock. After the messages of sympathy and the condolence resolutions have been read, Dr. P. Gurumurti moved a resolution congratulating the people, voters, workers and other supporters of Andhradesa on their sincere and wholehearted co-operation and support to Congress candidates, brushing aside all communal feelings and on their having secured success to the Congress. After several speakers had spoken in favour of the resolution it was put to vote and carried.

### Change in Congress Creed.

Next Mr. B. Sambamurti moved a resolution recommending to the Indian National Congress to be held at Gauhati to change the Congress creed (1. Article of the Congress Constitution). The word "Swaraj" in it is to be removed and the words "complete independence outside the British Empire" is to be substituted.

In moving the resolution Mr. B. Sambamurti said that this and kindred resolutions had been coming in every year before the Congress during the last five years. Although they were not adopted they should not think that his resolution was unnecessary. They could not satisfy themselves with the interpretation that the word "Swaraj" included "independence," for there were others who were interpreting the word "Swaraj" in other ways. He could not see any reason why its meaning should not be made clear and definite. Swaraj was not a gift of the British Government, but it should be got by their own strength, by their own effort, by their own soul power and sacrifice.

Mr. M. Tirumalarao seconded the resolution.

Mr. T. Prakasam opined that there was no necessity for having a change in the Congress creed as it was decided that the word "Swaraj" was the most appropriate word. He also pointed out that no fresh conditions had arisen for such a resolution.

Mr. G. Kamoji Rao, opposing the resolution said that men like Desabandhu C. R. Das, who said at the Faridpur Conference that he would be satisfied even with Dominion Status for India, were of opinion that for accomodating all parties in the Congress "Swaraj" was the word best chosen and that they should therefore recognise that there was no necessity for a change.

Mr. K. Venkatappiah of Guntur asked them to examine the effect of the resolution. They might have this ideal of independence if they liked. Once Mahatma Gandhi said that it was not necessary to change the word, "Swaraj," into "Independence." Like the people of the Dominions they were not so well-organised and disciplined and armed as to resist Britain

and attain their goal. If the people of the Dominions were not given the right of hoisting their own flags they could secure that right, whereas they in India were exhibiting their incapacity. They should not be so light-hearted as to require an amendment in the Congress creed. There was no good of saying that they would do things which they could not achieve for two or three years. Therefore the speaker thought that it was not necessary to change the present creed of the Congress.

Mr. C. Rajagopalachari said that they all desired to have independence. But the question now was whether it was necessary now to pass this resolution. The resolution which had been proposed was a resolution of no practical importance now, and therefore they ought not to have taken so much time over it. Mahatmaji had expressed the popular view when he put the word "Swaraj." He understood the mind of India and he said that the word, "Swaraj" would be truly educative, while the word "Independence" would not be so. He knew that the word, "Swaraj," had life in it; he knew that it would grow from one thing to another and further he knew that unconsciously, "Swaraj" would mean "Independence" even in the mind of the ryot, or child. There would come a time when they would have to pass such a resolution. But to-day a resolution like this, would prove their own weakness. Again he asked whether it was right to raise this issue when they expected the leadership of Mahatma Gandhi. His own view was that it should not even be discussed and that they should drop it here. It would be a very bad thing to defeat this proposition by votes and all the educative value would be lost by defeating it. The resolutions might be dropped.

The President said that he felt after hearing Mr. C. Rajagopalachari's speech that they would be respecting themselves and the Andhradesa in general if they dropped the resolution at that stage and proceeded to the next, and that there was no harm in dropping it.

Then some confusion arose. Mr. B. Sambamurti insisted on his right of reply and said that it was improper to drop it so abruptly without allowing the Conference and the world to know what he had to say after so much discussion and after the speeches of eminent men over the resolution.

The President then put to the Conference his proposition that they should drop the resolution. 78 voted for and 76 against. Poll was then taken amidst tremendous noise and excitement and the result was that 71 voted for and 86 against. The President declared his motion lost.

Mr. A. Kaleswara Rao supported the resolution stating that the Andhras were ever in the forefront to make sacrifices and that when independence would be declared Andhra Desa would lead the country.

It was 8-30 P.M. when the Conference was adjourned to meet on the next day.

### 3RD DAY—THE 30TH NOVEMBER 1926.

When the Conference resumed its sitting on this day at 11 a.m. Mr. B. Sambamurti was requested by the President to reply to the criticisms on his resolution relating to the change in the Congress creed. After his lengthy reply, votes were taken and the resolution was declared carried, 100 voting for and 53 against.

### Other Resolutions.

Mr. Khandala Sarveswara Rao then moved a resolution exhorting the audience to do active propaganda for the removal of untouchability. It was carried.

Mr. K. Subbarayalu made a motion to request the Gauhati Congress to concert measures for the formation of the Asiatic Federation immediately. This too was carried.

M. V. Satyanarayana, moved the following resolution : " This Conference recommends that immediate and adequate arrangements be made for a thorough study and exposition of district and provincial grievances."

The resolution was carried.

Mr. M. Srinivasachari moved following resolution :—" This Conference requests Mahatma Gandhi to take up the leadership of the country, as soon as his one year's vow of silence is fulfilled and to tour throughout the length and breadth of India, to unite the various factions among Congressmen viz., No-changers, Swarajists, Responsivists, Independent Congressmen and others in the Gauhati Congress and to help the country in carrying out the constructive programme." The resolution was carried.

Dr. B. Subrahmanyam moved a resolution urging the people to work out the constructive programme. This was also carried.

### Civil Disobedience.

The second most important resolution of the Session of the Conference was moved by Dr. Subrahmanyam. The following is the text :—" Whereas this Conference believes that the country is ready to do civil disobedience on a large scale, since it is the chief means for the attainment of Swaraj and that the time has come for resorting to it, this Conference requests the Assam Congress to concert adequate measures on an extensive scale for Civil Disobedience."

In moving the resolution Dr. Subrahmanyam said that constructive work and civil disobedience would go hand in hand and supplement each other. In the course of his lengthy speech for 25 minutes, he pointed out that the country was ever prepared for individual civil disobedience and the existence of foreign domination was itself a cause and preparation for civil disobedience.

Mr. T. Prakasam advised the audience not to pass the resolution. He said he occupied a very delicate position in that he was the President of the Andhra Congress Committee and a member of the Assembly. He appreciated and admired the courage of young and ardent men who went to jails and made sacrifices and who came forward to have this resolution. He pointed out that when Mahatma Gandhi had suspended all boycotts and non-cooperation and when the Congress adopted Council-entry, it was not the time for passing such a resolution. In the course of his speech, he said that he was never afraid of jails or putting up a strong resistance against Government and that he would lead them for civil disobedience when the time and occasion demanded it. He wanted them not to be hasty.

The resolution was then put to vote and declared carried, 101 voting for and 63 against. The proceedings of the conference then came to a close.

THIRTY SECOND SESSION OF THE  
**Tamil Nadu Provincial Conference**

*MADRAS—THE 4TH DECEMBER 1926.*

Amidst scenes of great enthusiasm, the 32nd session of the Tamil Nadu Provincial Conference commenced on the 4th Dec. in the afternoon in the Gokhale Hall under the presidency of Mr. K. V. Ranganawami Iyengar. The attendance of delegates and visitors was large and all the available space was occupied. Every one of the Tamil districts was represented and many prominent Congress leaders and workers were present. The hall was beautifully decorated with evergreens, paper festoons, tricolor Khadi flags and photographs of Lok. Tilak, Mahatma Gandhi, Desabandhu Das and other great patriots. The Armenian Street where the hall is situated, put on a festive appearance with triumphal arches and thoranams.

Proceedings commenced with the unfurling of the national flag by Mr. S. Satyamurti who did so in a neat little speech pointing out the significance of the flag and praying that the flag of Swaraj always be held aloft.

Mrs. Govindaraja Mudaliar sang the Bengalee Vande Mataram song, after which a Congress worker sang some national songs in Tamil.

**Welcome Address.**

Mr. C. S. Govindaraja Mudaliar, Chairman of the Reception Committee then welcomed the delegates and visitors to the Conference. In the course of his speech he said :—

"The election has brought to the forefront, in a manner more vivid than had been heretofore, questions of public interest that require to be dealt with firmly and with a clear mind. The election has shown in an unmistakable manner that the political sense of the people has been awakened to a degree that will not abate in its intensity in the future that lies before us.

"It may be said that the election results are not a certain indication of the will of the people. It is not true. The education of the circumscribed electorate takes in it the education of the people, old and young, literate and illiterate, men and women. The generality of public opinion thus generated filters through the electorate and the results are the surest indication of the way in which the public thinks. The results would have been more unmistakable but for the detracting effect that personal influence and consideration had prevailed in certain places and in favour of certain individuals; but that is inevitable till political education of the people becomes complete. The elections have been fought on the principal issue of who are to guide the policy of the province with the sole view of the betterment and improvement of the conditions of the people in general; in other words, whether Nationalism must reign supreme or whether Communalism must continue in power for some time or for ever more. The verdict is clear and distinct. It was pretended for some time past that the salvation of the people of this province lay in the way of communalism. It was pretended that untold benefits lay in the



pursuit of the paths of communalism. But looking back at the achievements of the party during the last six years of its communal administration, it is difficult to choose any that could be placed to its credit wherein the 97 per cent of the population had shared in common to the exclusion of the remaining 3. It is a misreading of the political life of a people that undertakings for the benefit of only certain classes of them to the exclusion of others will ever bring salvation for those on whose behalf special efforts were made. A community stands or falls as an unbroken unit so far as its general life and conditions are concerned. The administration for the last six years has been lacking in statesmanship, and the larger outlook on life : and therefore is the absence of remedial measures to alleviate the sufferings of the people on whose behalf the administration was undertaken. And it has invited and has deserved the condemnation the people have placed on it.

### The Communal Question.

"Clearly analysed, the communal question resolves itself into this : The priestly class, no doubt by long heredity, has cultivated an intelligence and adaptability to environments and has used in the race of life the opportunities that had been placed before it equally with other classes. It has been competing for and winning prizes in the fields open alike to those fitted with the equipment of the type of education devised for taking part in the administration of the country. In this race other classes having equal opportunities had joined. In the past the other classes had a predominant share. The grievance that lies at the foundation of the present communal movement is stated to be that the predominance has shifted to the priestly class ; and the complaint is made that this predominance has been brought about by the unvirtuous exercise of intelligence in bringing about a disparity by undesirable means and methods. It is asserted that the stamina and intelligence possessed by the other classes are not a match to the superior intelligence that the priestly class possesses. Here lies an implication of an unnecessary admission of impotence coupled with the feeling of incompetence based on vague and mainly untrue generalisations. Truth apart the resultant is hatred.

"Supposing the condition stated is true, will hatred avail ? Will that bring about a rebalancing of conditions ? Can an artificial order in the shape of a G. O. or a harping on the tune of hatred bring about the desired remedy ? How far has this administration, whose keynote was pitched in the tune of hatred, achieved the balancing ? Is this one factor of an unequal competition in the race for official preferments to vitiate the order of economic and political life of the vast millions of whom the official class forms only microscopic minority ? That is a question which has to be looked squarely in the face by all those who take a disinterested part in the political fight to better the country. I do not for a moment brush aside or belittle the existence of this irritating spot in the body politic. I do say that the question demands the closest attention and careful solution. Administrative sagacity has not been wanting in the regulation needed for the adjustment involved in communal claims to official preferments : and in the light of the past, measures hereof of caste-hatred and animosity might and ought to be adopted with a view to prevent complaints in the future.

"But these matters raise only a small issue. Official tyranny and oppression have been practised by every casteman put in power not excluding ones at the headquarters of the Presidency and there is a tendency to mix up this ugly phase of want of character of the undesirable individual with the

caste to which he belongs. That requires only disciplinary action which must be taken irrespective of the caste or race or creed to which the oppressor may belong. To repeat, undesirable exhibitions of clannishness, caste-riddensness and oppressive and dubious methods adopted in their behalf are certainly matters for condemnation. No effort should be relaxed to put them down with a strong and firm hand. This one-sided complaint in short constitutes the foundation for the creed of Non-Brahminism that has been installed in this province and elevated to the position of a party. Deprived of this one factor, the party has not put forward and worked any policy to take into its fold the divergent and conflicting elements of classes grouped under the head of the Non-Brahmin community. Has a thought been given to the fact that the component parts of the Non-Brahmin community have claims for consideration individually and collectively and as to how their amelioration is to be encompassed? What is the scheme under which their individual claims can be attended to co-ordinating them with a view to better them collectively?

#### Economic Development.

"Leaving for the moment the social aspect, let us look into the economical aspect. Agriculture, industry and trade are our main avocations. Has there been any the least advancement in the bettering of conditions in those directions? Has any earnest effort been made in that behalf? Has any plea been put forward and urged in the methods of governance? Perhaps it will be pleaded that the circumscribed limits imposed by the novel device in government known as diarchy stood in the way. It must be conceded that there is some justification for this. Diarchy has been pronounced as a monument of unworkable, incongruous and cumbersome system of governance which a statesman can devise. If an administration is not to be conducted solely in the interests of the people governed, that indeed is the device. To put the direction of agriculture in the hands of one member of government without any power over the main aid for its thriving, namely, irrigation, and without the power over the purse, a necessary precedent for its successful ordering, is the purest way of not improving agriculture. Then again, with regard to industry, how can its development be furthered without the aid of the purse?

"The question of labour is demanding an urgent enquiry and a speedy solution. Factory labour has problems of its own with its changing conditions. Factory legislation is a question of vital importance and periodical revision thereof is a matter that rests heavily upon those that are to carry on the administration of the future. Neglected as it had been in the past, agricultural labour presents a greater problem. Unemployment has driven many a useful agricultural labourer from our land to distant shores where unsympathetic and exploiting employers have done more harm than good to these unfortunate people. We are aware of the distressing and humiliating conditions prevailing in South Africa and other places. Strenuous efforts having been made by the leaders of the Congress movement, Government has been forced to make an effort in the direction of the amelioration of those masses of suffering humanity. The success of the Congress at the polls is in no small measure due to these disinterested and truly patriotic methods of work adopted on the Congress platform. It should be our earnest endeavour to continue our efforts unrelentingly, unceasingly and persistently till the rights of our brethren abroad are recognised and placed

on the soundest footing. The discredited administration of the past six years had not moved its little finger in this direction.

### The Congress and the Ministry.

"This being the situation existing now, the burning question of the hour is, how and by whom has the responsibility to be assumed by way of participation in the Government as at present constituted. For the moment it has been contended that diarchy as ordained has to be worked. Justifying the results at the polls, the Congress party has been called upon to take its place in the dual Government. It has refused, in obedience to the mandate imposed upon it by will of the nation as expressed at the session of the Congress held at Cawnpore. It is not necessary to discuss now the question whether any effort should be made for the changing of the mandate, albeit suggestions and opinions put forward by would-be friends in the press, or enter into a discussion on the question of the recognition of diarchy or of its extinction as an integral part of the Provincial Government, or of the further question of the immediate substitution of provincial autonomy for diarchy. We will leave it alone for the present as it is an All-India question and requires the bearing upon it of the combined political intelligence of the whole of India. The verdict of the Tamil Nadu combined with the other divisions in the province is that diarchy is undesirable and that those who worked it failed individually as its workers. The Local Government is averse to admit the import of this verdict and is making desperate efforts to show to the world that diarchy can successfully be worked. It however found itself placed between the two horns of a dilemma, the Independents and the discredited Justicites. Its fondness for the fallen comrades of the past was in conflict with a desire to make new friendship with the still untired politicians. It did not want to throw its lot with the new political folk as it could not make up its mind to put its entire confidence in its yet-to-be proved unswerving allegiance to it. The brilliant idea of tying together the scarp's ends of these two political entities and forming what is known as the coalition suggested itself to it. Lord Goschen has had sleepless days and nights trying to effect a patch of these two divergent entities.

"The effort has failed. Impressed no doubt by the volume of public opinion that had shown itself in an unmistakable manner, His Excellency had after all to seek the aid of the new politicians. Two of them have had a political career and a fairly correct estimate may be formed of their future policy and method in co-operating in the government of the province. We shall watch with interest the efforts the new ministry will put forward in the carrying on of the administration with its avowedly changed outlook on life uncramped by communalistic twists. It is premature to indulge in prophecies but we shall wait and look on, continuing as we are bound, to carry out the Congress Programme. Under all the varying conditions that may arise as time passes on, His Excellency may feel assured of this, that the Congress party, pledged as it is to the singular task of bringing about the political salvation of the land in the shortest time possible, will stand as a man to have its ideals recognised and accepted.

### The Work Before Us.

"Turning now to the future work before us and by us, may I be permitted to put before you a few suggestions. We have been at great pains in educating the public on political lines during the strenuous months of

electioneering.—We will be doing a dis-service to the country if this education, backed up as it is by the enthusiasm generated thereby is allowed to wane in the coming years.

"It entirely lies in our power to create the necessary volume of public opinion by propaganda and organisation to compel the Government to alter immediately its excise policy. Organisation work can best be effected by starting Congress Committees in every nook and corner of the province. The work is easy now as it will be in continuation of the electioneering work. Earnest endeavour in this direction will be the highest contribution we can possibly make in our work of patriotism.

"A new era has dawned upon the land. The policy of mendicancy has been changed into a creed of self-reliance. The political philosophy of Mahatma Gandhi remains to be translated in all its bearings into political action. It is for each province to effect this translation in the direction of its peculiar conditions and environments. The Tamil Nadu has a culture of its own. The Tamil have ever been noted for the soundness of their judgment in all fields of thought. We have as our head one who has proved himself beyond all possibility of doubt to be the fittest leader to guide our destinies in the right direction. Unity has been the keynote of our lives and co-operation has been the creed of their political life".

### The Presidential Address.

Mr. K. V. Rangaswami Iyengar then delivered his presidential address. Having thanked the Conference for electing him as President, he said he was invited by the Committee only three days ago while in sick-bed to take the Chair; but he felt he had to obey the call. He hoped they would bear the shortcomings of his address. He then said:

"At the outset, I should congratulate the country on returning a majority of members who are not wedded to communalism to the local councils and to the Assembly. But for the warmth and enthusiasm of the large number of volunteers and propagandists and the whole-hearted support of the principal dailies and other journals, we could not have witnessed the defeat of that party which had no other motto but "Viprahaya."—down with the Brahmin. It would have considerably enhanced the reputation of Salem and Tinnevely—the two oldest and the staunchest nationalist districts—if they had returned Congressmen at the polls. It is a matter of regret that these two districts have embraced communalism which is certainly inimical to nationalism.

### The Communalist Party.

"The Justice Party was ushered into existence with the connivance of a few ill-intentioned bureaucrats during the war when the country was assured of reforms. Open caricatures were broadly printed in English papers and it would not be uninteresting if I should refresh your memory with one instance. "A Brahmin wanted to let at large an imprisoned tiger. He opened the doorway of the cage out of mercy for the poor beast. No sooner the door was opened than the tiger told its reliever: "I am hungry and I want you for my prey." The poor Brahmin appealed for justice to every one near by, but nobody could help him. At last a jackal out of pity for the Brahmin told the tiger to go into the cage again to judge in what position the tiger was before it was relieved. The tiger

entered the cage, the door was closed and the Brahmin was asked to go his own way and to attend to his own duties." The truth of the caricature was well exemplified in the fact that the class of Brahmins who were responsible for the Reforms were vilified openly in Council halls, public platforms and non-Brahmin organs. The thousands of volunteers who were undergoing prison life were recommended for worse treatment in jails as if they were ordinary felons. The fact, however, remained that it was these volunteers who made it possible for the party to be in power by their agitation to usher in a new era of political life in India. People who were hostile to the agitation were the first to enjoy the Reforms, the direct result of the agitation. We owe it to the keen foresight of that political party not to succumb to such caricatures or bow down to them but to plod and go its own way towards the political emancipation of the people. They were after all victorious. Whether in villages or in towns there is absolute concord and amity between Dwijas and non-Dwijas. It might be a matter of wonder to many that a party based purely on class jealousy should have lived and flourished so long as six years. The reason is not far to seek. They were patted on the back by the head of the Province, the late Lord Pentland and Lord Willingdon. In this respect I always find the Conservative head of the Province handled the situation more conscientiously. Would communal parties thrive in England or would they get the support of the powers that be? If the reverse is in India then the policy of the Government is apparently "Divide et Impera."

#### Mr. Srinivasa Iyengar's Leadership.

"The remedies for the extinction of communalism suggested by some of our liberal leaders was that no Brahmin should stand for election to Councils or get into Government service. But our far-seeing leader Sriman S. Srinivasa Iyengar was intent upon fighting out ignorance and illiteracy and exposing the pretensions of the communalist party. I am glad to say that his strenuous efforts were crowned with admirable success. Sriman has all the qualities of a leader, being endowed with an acute intellect and indomitable energy, pertinacity of purpose, a spirit of sacrifice and unflinching patriotism and unstinted generosity. We cannot imagine how the Nationalist party in Madras would have been without him. Every institution had to look up for its growth and its fulfilment in the enthusiasm and tact of its leader. Everybody knows that his task was no easy one. He had unsurmountable barriers and insuperable obstacles. The strong will in him and his consciousness that he was fighting a just and holy cause made him callous to insults and achieve the victory which he had deservedly won. Next to congratulating the country, we are in duty bound to convey to him our grateful appreciation of his good and selfless work. Many a time he was inclined to resign his leadership, if any one else from any other community would organise the Tamil Nadu, but nobody could. Personally, I feel that there is none else who would equal him in the outstanding features of a leader which he possesses in such a remarkable degree. By his becoming an all-India leader, I am afraid Madras may not enjoy the exclusive benefit of his activities, but let not this sentiment stand in the way of our leader getting the honour of all-India leadership. We rejoice that he is to be enthroned on the Congress gadi, which he has so nobly earned by strenuous and selfless work.

### The Swarajya Party.

"The Swarajist Party is the only well-organised, well-disciplined political party in this country to-day. The party's aim is Swaraj. It is resolved upon wrenching out power from an unwilling bureaucracy. It has formulated the National Demand and has placed it before the Government. It has unmistakably made the Government realise the fact that co-operation would be impossible till the National Demand is answered. Its programme is agreeable to the genius and temperament of the educated classes. It is not for self-aggrandisement. The party is only a humble servant of the nation and hence it is trusted and supported. The Government were advertising before the Swarajists entered the Councils that the country was with them because the elected representatives joined them in the enactment of several repressive laws. Now that the Swarajists are in the Council it would be hardly possible for any repressive measure to be enacted. This is a positive advantage.

### Responsive Co-operation.

"A new party has just come into prominence under a glorified name. It is only a party of either the Liberals or the Moderates. A moment's reflection would expose the party in its true colours. Six years back many of the present day Responsivists were staunch and orthodox Non-co-operators. These ardent Congressmen should now invent a reason for their having turned co-operators. Their reason is that they had response from Government; what that is we do not know nor are they themselves aware of it. If there should be any rationale in responsiveness, then we should embark upon some thing more drastic than Non-co-operation. Since the days of the Non-co-operation, the best of our leaders were arrested on flimsy grounds, taxes were piled and when retrenchment in Indian subordinate service was made, the steel-frame was given higher status and pay against the strong protests of the people's representatives, while the Reforms asked for were not given, even the gesture of or semblance of the same not forthcoming. What is the response that the country is expected to give for this kind of continuous illiberal treatment at the hands of the Government? No longer can the country be befooled by conjuring names of Responsive Co-operation, etc. Agitation and fighting for rights are no pleasant tasks and they entail heavy sacrifices. It is no doubt the spirit of service and sacrifice that has permeated the members of the party to keep up to their creed and pledge and all respect should go to such service rendered to the nation. There is no place in the party for self-seeking people and place-hunters. When the country is embarked on a solemn undertaking in placing the Government on a better footing every party should at least give some time for the experiment of obstruction in the constitutional fashion within the Councils.

"It is not proper to say that the Swarajists are reluctant to share the responsibilities of office. They want to shoulder greater responsibility than sending to their credit in banks the monthly salaries and making retrenchments in school and hospital budgets for want of funds doled out to the transferred half, for joining the reserved half for putting higher resettlement rates as in the case of Tanjore and making occasional speeches for nominating defeated candidates in election. Such responsibilities we don't shirk. Only because these responsibilities are not considered to really benefit the people, the party says they can work it out if they can be placed on a

workable position from where they can administer the nation-building departments to the satisfaction of their conscience. My respected friend Mr. C. Rajagopalachariar thinks that the drink evil might be stopped if the Swarajists accept office. May I respectfully tell him that even he would fail in office under the existing conditions when the outlook of the Government is so narrow and confined?

### Diarchy.

"Diarchy has been condemned on all hands to be unworkable. The latest pronouncement on diarchy by no less a person than Lord Lytton would be pertinent to the occasion. His Lordship observed, "I defended it in the Parliament against the critics who thought it was premature and conceded too much responsibility to the people who were ill prepared to undertake it. I have never been afraid either of accepting or of conceding the responsibility and nothing in my experience out here has shaken me in that faith. If I have any complaint to make of the existing constitution, it is that in too many matters it leaves responsibility either divided or restricted." Every one of the Ministers has borne testimony to the unworkability of diarchy. It is no mean boast on the part of those who belong to the Swaraj Party that the credit of even the halting liberality shown by the remission of provincial contributions was due to them. At least to belie the forecasts of the Swaraj Party that have condemned the Reforms and to prove for the first few years of the beginning of Reforms that the transferred subjects were liberally financed, Bengal and Madras were shown special remissions of provincial contribution. If, in the new order of things, more responsibility was given and full control of the exchequer of the provinces was also given no one would be more willing to shoulder the responsibility than the Congressmen.

"The Swarajists are aware of the burning questions of the day but without powers to remedy the evils, there is absolutely no good in their taking up offices. The Congress has always been effecting improvements in the administration by creating public opinion. Without a strong public opinion behind there is no good in our representatives' voices in the Council. If we do not take offices now, we shall see that our will prevails through the force of public opinion.

"It may be contended that entry into the Council is as bad if not worse than acceptance of office. To such a contention my answer is this. I have already stated that the purpose of the Swarajists in the Council is for the present to ward off evil legislation and to make it impossible to repeat the recommendation of harsh treatment to the honest and innocent volunteers who did no other crime than imploring the drunkards not to drink. If we should take three concrete examples of rectifying legislation or drink problem, our repressive laws and the Endowments Act, our entry into the Councils would be justified. \* \* \*

The President then expressed his opinion that the Hindu Religious Endowments Bill was a mixture of good and evil, the latter being more prominent than the former and urged that the first measure of the new Council would be to expunge this measure from the statute book if in the meantime the Governor-General gives assent to it. He then dwelt upon the problem of unemployment and said that the protection of industries and Indianisation of offices and opening of new industries are the only solution to unemployment.

## Hindu-Muslim Problem.

"The one great difference between the Swarajists and the Hindu Sabha leaders is on the question of "Hindu-Muslim Problem." There is no doubt some point in the reproach in reference to the past where Muslims have been given a proportionate representation in the Councils and in services. A party that condemns communalism have fallen into the hands of a clamouring section and yielded to the principles of communal representation. The only way of pacifying an important section of India is by granting them what they want. Further, there are fundamental differences and the communal tension is very great in Northern India, and for some time until the differences are bridged it is better they are given separate representation. I am a firm believer in the Hindu-Muslim unity and the differences have been made too much of for withholding the grant of Self-Government.

## Panditji and Lalaji.

"With due respect to the Pandit and Lalaji their hostile attitude towards the party that has earned the approbation and confidence of India and other sympathising foreign countries, is not worthy of them. It is a matter of deep regret that some of our stalwart friends who were our comrades in arms, who waged with us several political battles, who guided us in times of great doubt and hesitation, who made enormous sacrifices and who underwent severe hardships are now away from the banner of the Congress. They have by considerable intellectual strain limited their outlook and confined themselves to narrow sectarianism. We feel profoundly for their separation and we shall be thankful to them if they should forget the passing differences, join once again the Congress and guide the great national movement to its destined goal.

"We do not live in an era of tranquillity or of peace. The air is surcharged with the bacilli of unrest and this is a critical and transitional stage in the political life of our country. We Congressmen have just emerged from the great ordeal of a general election. Thank God, the justness of our cause, the purity of our aims and the unsullied character of our methods have by the ordering of a Divine Providence, ensured to us a victory of which we may well be proud. We have pledged ourselves to a great programme and we have also unequivocally expressed our ways and means of working out that programme. The nation has confidence in us and by returning the Congressmen in such overwhelming majority, it has entrusted its destinies into our hands and it is our duty—a solemn and sacred duty—to prove ourselves worthy of the trust and so conduct ourselves as to deserve their confidence by strongly adhering to the creed of the party.

"Brothers, I may refer to a moment to our great Mahatma Gandhi. He retired from political life for a year. The strain on him was enormous. He alone could have possibly survived that strain. May we not hope that at Gauhati Congress, he will join our ranks and take his place to guide us in our struggle which we are to begin?

## The Expected Royal Commission.

"We have passed nearly 6 years under the new Reform Act. Under normal conditions, the Commission is expected to be here before 1929 to



consider the grant of an instalment of reforms which would by successive stages take our capacity of self-government. Brothers, our capacity of self-government needs no further test. We have given ample evidence of managing our affairs to our advantage and to our credit. We can stand by ourselves. The Royal Commission is not going to make any new discovery as to our fitness to shoulder enlarged franchise. We have placed our minimum demand and we stand by that at all costs. The verdict of the Commission if one comes at all is obvious. We shall not be satisfied till the minimum demand is granted. We demand it not as a matter of grace. We demand it as our birth-right. I should observe that with all the outward reserve the Conservative Government wishes to expedite the sending of the Commission and not to leave the personnel in the hands of the Government that is soon to follow the present regime in England. I am not asking you not to be in a hurry to get a Commission but I give expression to what strikes me that is behind all the feelers for making us ask for the Commission. The present Ministry in England that has chosen strong Conservatives and military men as Governors and Viceroy will send an equally strong Conservative Commission to take up the burning question of reforms and bury the hatchet for another 20 years. Perhaps Lord Birkenhead thought that the Swarajist will be floored in the polls and on that pretext His Lordship thought of distributing his memorandum on Indian affairs and following that memorandum to announce the Commission. But he should have been disappointed. We are becoming weaker and weaker materially, morally and physically. In 1906 we were prepared to carry on a better agitation with greater grit and vigour, while in 1916 I could find only a diminished strength and pertinacity. While in 1926 we have become a pessimist in human efforts with all the majority of our party in the Councils. So the Commission that comes at intervals will certainly find us deserving much less than what we deserved 10 or 20 years ago because, according to their judgment and standard, the fighting capacity of the nation is the fitness of people for self-government. I am glad our Andhra friends are optimistic and I can share their optimism as I have faith in the divine order of things and as I feel that our poor and innocent nation will not be left as it is.

#### United Conference.

"I should now conclude my address. So long as the Government of Madras is one and not divided to Andhra, Tamil Nadu, Kanara and Malayalam, may I suggest that the Provincial Conference to be held hereafter be common to all the districts of the Madras Presidency. Let it be a Provincial concern as of old. There is now reduplication of worse and the conferences ever since the partition have become thinner in strength and volume. For intensive strict work and for voting in Congress the divided areas may be maintained but so far as the Annual Conference is concerned we may have an united one.

"Though I could not at the outset reconcile with the Non-co-operation movement started by Mahatma Gandhi, I am gradually coming to recognise the true import and genius of that movement. I look up to the villagers who form the bulk of the nation for successfully carrying out that movement. This needs education, more than political education. The villagers should be taught practical economy. An economic enquiry into the conditions of

our villages should be made and our men should be apprised of the danger ahead of them, if they should be callous to the country's interest and waste their slender resources on foreign articles. The safety razor has defrauded our barbers, the washing soaps our washermen and foreign textile industries have starved the country weavers. Is there no end to the import of motor cars and kitson lamps and the thousand and one other luxuries which poor India can ill-afford in her present exploited condition? Khaddar is a symbol of our plain life and every other aspect should be in tune with the Khaddar spirit. A huge propaganda is required in cities and villages and every one should thank in terms of the nation and nationality. Congress should undertake the work of education of the masses. The Taluk organisations should be perfect and effective. Thousands of willing workers are needed. We cannot shut our eyes to foreign thoughts and foreign propaganda. It is as essential as village propaganda. With the two programmes the Congress can do enormous work. What has been impossible of achievement can be had if for a few years patient education of the masses is undertaken and every one is made to pulsate and throb with nationalism. Mahatmaji alone can raise the huge funds and keep up the organisation. May he be entrusted to do this work. Every effort that lies in our hands should be done and that with the motto "service and sacrifice" and fruit of our action lies in Him".

The Presidential Address being over telegrams and messages of sympathy were then read after which the Conference adjourned.

## Proceedings and Resolutions.

The Conference met again on the next day, the 5th December at 12-30 p.m. at the Gokhale Hall, Georgetown, with Mr. K. V. Rangaswami Iyengar in the presidential chair.

### 1.—Condolence Resolution.

The first resolution expressing feeling of sorrow at the irreparable loss sustained by the national movement by the premature death of Messrs. V. M. Thangaperumal Pillai, S. Rangaswami Iyengar (Editor of "The Hindu"), T. V. Seshagiri Aiyar and Mannargudi K. Ganapathi Pillai was put from the chair and carried.

### 2.—Congress Success in Elections.

Dewan Bahadur V. Masillamani Pillai moved the second resolution congratulating the Congress candidates on their success at the recent elections to the Assembly and the Council and expressing its grateful thanks to the electorate who were the real cause of the Congress success, and to Mr. S. Srinivasa Iyengar for his vigorous and patriotic work in connection with the elections.

### 3.—Khaddar.

The following resolutions were put from the chair and carried :—

"This Conference highly appreciates the wonderful progress in the production and sale of Khaddar, made by the Tamil Nadu Branch of the All-India Spinners' Association.

"This Conference requests all Congressmen of the Tamil Nadu to wear pure Khaddar on all occasions".

#### 4.—Removal of Untouchability.

"This Conference recommends to the Indian National Congress, Gauhati, that the removal of untouchability should form one of the important items of the Congress programme for the next year and that steps should be taken to efface from the land this baneful custom".

#### 5.—Village Reconstruction.

"This Conference resolves that a Congress Sabha should be formed in every village and the work of village reconstruction should be carried on vigorously". The resolution was moved by Mr. C. V. V. Iyengar and after a good deal of discussion carried unanimously.

#### 6.—Redress of Grievances.

"This Conference resolves that a committee be appointed to inquire into the various grievances under which the people in this province suffer on account of the existing system of administration and other factors and to suggest ways and means for the redress of those grievances." The resolution was moved by Mr. N. B. Ramaswami Iyengar and carried unanimously.

#### 7.—Unemployment Problem.

"This Conference requests every Congress Sabha in the province to appoint a sub-committee to concert measures to solve the problem of unemployment in the country." The resolution was moved by Mr. D. Kulandi and passed unanimously.

#### 8.—Moplah Colonisation in the Andamans.

"This Conference, while deprecating the unreasonable and unwarranted attitude of the Government of India towards the Majority Report of the Moplah Andamans Colonisation Committee, strongly condemns the persistent and relentless policy of the Government in carrying out the so-called Andaman Colonisation scheme by virtually transporting free and innocent Moplah women and children to the Andamans.

"This Conference urges upon the Government of India and the Muslim Home Member of the Government of Madras in particular the justice, necessity and wisdom of immediately abandoning the inhuman and barbarous scheme of transporting free and innocent Moplah women and children to the Andamans which have been condemned as unfit for human habitation by more than one Committee appointed by the Government."

"This Conference further calls upon the Government of India to take steps for the immediate reparation of all the Moplah men, women and children who have hitherto been transported to the Andaman Islands under the pretext of so-called voluntary colonization."

"This Conference further calls upon the Hindus and Muslims of Tamil Nadu and Kerala Provinces to rise equal to the occasion and to strive to their utmost to safeguard the elementary liberty of the free and innocent Moplahs against the encroachments by the Government."

The resolutions were moved by Mr. Basher Ahmed Sayeed and passed unanimously.

### 9.—Capture of Local Bodies.

Mr. M. K. Acharya moved :—"This Conference resolves that the Congress should capture all local bodies."

In moving the resolution Mr. Acharya pointed out that the local bodies such as district boards, taluk boards, and municipalities, were the instruments through which the country was administered. Some powers had been given to these bodies but they were not autonomous. If Swaraj was to be obtained it was not enough if the Congress captured the highest Councils of the nation, but it must capture all the local bodies. If the local boards were captured, it would be easy for them to capture the highest councils. This programme of capturing the local bodies and municipalities was first chalked out by the late lamented Desabhandhu C. R. Das and the Calcutta Corporation was captured by the Swarajists. Again, they were all aware of the great efforts of Mr. S. Srinivasa Iyengar in this province to capture the local bodies and municipalities. He believed that the necessity was greater in this province than in others. Corruption and jobbery were rampant in this respect during the last six years under the regime of the Justice Ministry. The administration of the local self-government department had become rotten and he was in one way glad that the old regime had ceased to exist. He hoped that the new Ministry would not repeat the mistakes of the old Ministry and would try to reform the local bodies and also try to confer some more autonomous powers on them. He said that this could be achieved only by returning Congressmen, men who went there solely for service of the motherland and not men with selfish ends in view. He hoped that the province would realise the gravity of the situation and do the needful. The resolution was passed after several speakers had spoken in favour of it.

### 10.—Independence Resolution.

Mr. M. S. Subramania Aiyar then moved :

"This Conference recommends to the Assam Congress that complete independence of any alien power should be the creed of the Congress."

In moving the resolution, Mr. Subramania Aiyar made an impassioned appeal to the audience to accept the motion whole-heartedly. The speaker first briefly traced the history of the Indian National Congress till the present day. In the first twenty years the Congress was adopting a policy of begging for more Indianisation and for more privileges. Then came Lokamanya Tilak, Arabinda Ghose and others who denounced this policy of mendicancy adopted by the Moderate politicians of the country and urged for a more fighting programme. A split came within the Congress in Surat and from that time the policy of the Congress took a new turn. The war intervened and the fighting programme was suspended for a time. After the war when the leaders found no change of attitude in the Britishers, Mahatma Gandhi started the non-co-operation programme. It spread like wild-fire throughout the country and the bureaucracy came to terms with the people. Thereafter the Independence resolution was brought in the Congress year after year but for some pretext or other the motion was either withdrawn or lost. Now the situation in the country had become grave and there was need for some definite action. It was also necessary that the Congress should unequivocally place a programme before the country. There was no use in having vague conceptions before them. "Swaraj by all peaceful and

legitimate means" was to him a vague clause. What was meant by Swaraj was not clear. Hence he would urge the Congress to define clearly the term "Swaraj" and he was sure that his definition that Swaraj meant 'complete independence of any alien power,' would be acceptable to all true Indians. He knew full well that in his heart of hearts every Indian was having this ideal and yet he could not understand why they should evade the issue and should be afraid to express it frankly. He hoped that the Conference would, unambiguously and without any fear, express its views. He knew that there were persons who would oppose the resolution and who would try to bring in all sorts of quibbles and say that such a resolution was a little premature. But he appealed to the delegates of the Conference not to be led away by persuasion but to think deep over the question and give their verdict.

After several members had spoken in favour of the resolution, the President asked whether anybody opposed the resolution. About half-a-dozen persons raised their hands to signify their opposition.

The President then asked those who supported the resolution to raise their hands. The whole gathering rose in support of the resolution.

The President then declared the resolution carried amid loud applause.

#### 11.—Tanjore District Board Railway.

Mr. C. Maruthavanam Pillai next moved the following resolution regarding the Tanjore District Board Railways :—"This Conference condemns the unjust action of the Government of India in proposing to hand over the Tanjore District Board Railway to the local Government and requests the members of the District Board, the Legislative Council and the Assembly to oppose and to put up a strong fight till the Government of India abandons their proposal and agrees to a just and equitable adjustment."

#### Other Resolutions.

On the motion of Mr. Vasudevan, seconded by Mr. Vellere Kuppaswami Mudaliar, a resolution calling on the members of the Congress to take more interest in khaddar and asking them to take steps to sell the stock created by the efforts of the All-India Spinners' Association, was next passed.

Mr. Manikavasakar of Negapatam moved the following resolution :—"This Conference recommends to the Gauhati Congress that in future all Congress Sabhas should do active propaganda work on behalf of the labour movement and to work strenuously for the uplift of the labourers.

The following resolutions were next put from the chair and carried unanimously :—

"This Conference resolves that the 19th instant should be observed as a day of prayer for the happy ending of the Round Table Conference to be held on that date in South Africa and for the securing of equal rights to the Indian Settlers in that part of the country.

"While emphatically condemning the indifference of the Government of Madras in the matter of introducing the Land Revenue Bill in the Council, this Conference requests the Congress members in the Council to see to the early introduction of such a bill by putting pressure on the Government to do the needful in the matter."

With this the business of the conference came to a close.

THE TENTH SESSION OF THE

# Indian Economic Conference

*CALCUTTA—THE 3RD JANUARY 1926.*

The Tenth Economic Conference commenced its session in Calcutta on the 3rd January in the morning under the presidency of Mr. M. L. Tannan of Bombay. A distinguished gathering of professors and economists and business men representing almost all provinces and Universities were present including Sir Alexander Murray, Sir D. P. Sarvadhikary, Sir Lalubhai Samaldas, Lala Harkrishan Lal, Mr. Jadunath Sarkar, Radhakumud Mukerjee, Radha Kamal Mukerjee, Prof. P. Basu of Indore, Prof. Radha Kissen, Mr. Narotham Murarji, Mr. S. F. Madan, Mr. G. F. Shirras of Ahmedabad, Mr. C. Gopala Menon of Madras, Prof. Coyajee, Mr. Wordsworth, Dr. Stephen, Mr. J. T. Goodchild, Mr. B. D. Dasgupta, Mr. C. D. Thompson, Mr. B. Ramachandra Rao and Sir Nilratan Sarkar.

## Welcome Address.

Sir R. N. Mukerjee welcomed the delegates in a short speech. In the course of the speech he said :—

“Turning now to the purpose for which so many distinguished and learned men have gathered here, I consider that Calcutta is fortunate in that the Conference elected to meet this year in our midst. The value of discussions such as our sessions will provide, can hardly be questioned. But perhaps from another angle criticism may be made, that from the nature of the subjects discussed in an academic manner it is rarely possible that any valuable conclusions can be reached. I claim, however, on the other hand—and I hope you will agree with me—that it is not conclusions we are primarily in search of: we want instruction, understanding and enlightenment. The Conference provides an ideal means for ventilating expert opinion from all angles of vision; and the chief merits I see in such gatherings are the interchange of ideas, an increase in understanding and a growth of respect for the contrary view. At the same time for the Conference to keep on making an increased and live appeal to the lay public it is essential that current and topical problems of commerce and finance, of agriculture and industry, should figure prominently on our agenda. Without wishing to flatter you, I may say that the common man in the street, who is too busy with the struggle for a living, expects men in your position and with your learning to guide him to a correct understanding of the nature and effect of economic tendencies. Lucidity in argument and clear language are therefore, the first desideratum. I may go further and declare that your discussions will attract busy and active commercial men as well, if you will hammer out and test your theory at the anvil of practice. Applied economics is coming to occupy a greater place in the practical affairs of the business world. In this manner your efforts will redound to the growth of both knowledge and practice.

"The year that has just closed has provided the economists in India with rich material for study and analysis. Important problems of currency and banking, taxation and statistics, rural and co-operative economy, await rational deliberation and wise decisions. The year 1920 has been prolific in authoritative reports. Of great and abiding interest to economists are the four reports respectively, of the Economic Enquiry Committee, the External Capital Committee, the Taxation Enquiry Committee and the Currency Commission. These reports have all been before you for a period of over six months; and although it is unfortunate that the political elections have precluded a calm and unprejudiced discussion of the important proposals contained in these reports, yet to a circle so learned and scholarly as this Conference sufficient data and material have been offered to promote a lively and intelligent criticism.

"The Economic Enquiry Committee's Report tells us of great insufficiency of economic data statistics—the raw material of modern economic policy. Generalisations are very useful provided they are drawn from well-established facts. But we are usually inclined to expect facts to follow our pre-conceived theories. May we not look to the experienced knowledge of the Conference to condemn this tendency and to demand the maximum marshalling of facts in support of a detection? The recommendations of the Economic Enquiry Committee for a comprehensive and regular collection of economic statistics should, therefore, receive the warm support of the Conference. The Report of the Currency Commission also emphasises the imperative need for accurate and reliable data.

#### Banking Habit in India.

"The Report of the External Capital Committee is remarkable more for its implications than for the main recommendations. These relate to the growth and development of banking and investment habit in India, a most illuminating commentary on which was furnished by Sir Basil Blackett in a lecture delivered last year under the auspices of the Delhi University. I would invite you to bring to the study of this difficult problem your collective acumen and reasoning, and so help to evolve concrete proposals for accelerating the establishment of a sound banking practice in the country. In India traditions die hard. When the comparatively prosperous cultivator invests his savings in ornaments or in bullion, he does so under the promptings of a very conservative instinct. Taste for personal adornment is no doubt present in our women-folk but this desire to adorn combines with an instinctive fear of insecurity and disorder and leads to a locking up of fruitful savings. Perhaps the spread of general education and a campaign of progressive enlightenment is the only cure for this barren habit. It is for groups like those represented in this Conference to investigate the peculiarities of their respective districts and suggest appropriate practical methods for educating the villager to realise the huge waste involved in his dead investment. Another aspect of this habit is in my opinion, responsible for the chronic indebtedness of our agricultural classes. Savings invested in ornaments are looked upon as the very final resort in emergency and as far as can be helped womenfolk will not part with their jewellery under any pressure whatsoever. The result is that when an indifferent season comes, there is no reserve for the ryot to fall back upon owing to the reluctance of his women-folk to part with ornaments and in order to carry over to the next season, he is forced to go to the village Bania for accommodation. The usual

consequences follow—a serious handicap on future crops, a piling up of debt and growth in usury. If the ryot knew and realised the futile waste in his present investments he would soon learn to appreciate the advantages of building up a reserve, liquid as well as fertile. Only through a steady growth of the banking habit, combined with the spread of the co-operative methods, can we look forward to a decrease of the indebtedness of our countryside which is such a blight on agricultural improvement. The problem is vast and serious enough to receive your valuable attention.

#### The Taxation Report.

"Taxation forms the most important part of modern administration and was possibly the first great problem tackled by the economists. Indeed Adam Smith, the first and the greatest of British Economists, devoted a large part of his work on "The Wealth of Nations" to a consideration of the question of taxation. In olden times tributes, tithes and tolls formed the chief source of revenue to the State which meant the King or the Feudal Baron. As democracy advanced and the powers of the kings receded, the representatives of the people sought to build up an equitable theory of taking money from the people. It is not a travesty of facts to attribute practically all the civil wars and revolutions in history to unjust and oppressive taxation. Finance members of representative Governments owe it to their constituents to explain their taxation methods by an equitable and just theory. In India full representative Government is not yet in being. But the recent Report of the Taxation Committee, conscious of the future trend of events, has sought to provide a systematic and equitable basis for taxation, the absence of which has been admitted by our present able Finance Member. The problem bristles with theoretical difficulties, but the practical aspects are even more complicated. Administration and practice call for a high degree of careful and dispassionate analysis. I do not feel competent to hazard any opinion on the theoretical justice or otherwise of a proposed tax. Business men only know the practical incidence of the burden. Direct taxes are easily understood and one knows what one is in for. But indirect taxation, like tariffs and inflation, are difficult to analyse properly in respect to the ultimate incidence. A manufacturer would plead for light imposts on industry; as a consumer one may urge the abolition of all import and excise duties; as a producer one may ask for the removal of trade barriers and for cheap freights. The finance minister is indifferent to the obvious contradictions in these demands, but intelligent and lucid argument is needed to persuade the taxpayers to admit the equity of any tax. In India to-day comparatively few are capable of offering enlightened criticism. The Taxation Committee's Report offers a valuable starting point and it is to be hoped that the administration will receive your full and hearty co-operation in the construction of an equitable and reasonable system of taxation which will not bear hardly on the poor, nor be oppressive to industries, and so militate against economic development.

#### The Currency Commission.

"I come finally to the Report of the Currency Commission of which I had the honour to be a member. Acute controversy has raged round one of its minor recommendations which has been raised to the level of a grave political issue. I do not wish to join this controversy except to declare once



again that the main consideration which weighed also with the majority of the Commissioners in deciding about the ratio was the express need of the masses and the poor middle classes of India for stable conditions for cheap commodities, cheap freights and low taxation. As a business man I may be tempted to favour a policy of inflation which leads to a raising of the price level and means increased profits to me but I honestly believe that for a country so poor as India it is imperative for her national well-being that the poor classes should be able to buy a sufficiency of food and nutrition at the lowest possible cost. We need to strengthen them and raise their standard of living. I do not mean to imply that currency should be used deliberately as a lever to regulate prices or as a means to redistribute wealth, but what I do say is this: that once a difficult period of uncertainty, risk and instability has been gone through, to deliberately start another cycle of similar uncertainties, even as advocated by some responsible people to correct certain injustices suffered during the first period—I say that such a policy is not practical wisdom. The advocates of a lower exchange rate choose to ignore the vast, almost convulsive, consequences that will follow a policy of inflation. When it is said that by reducing the ratio to 1s. 4d. you raise the rupee prices of only such articles as are exported, ignorance is shown of the facts of the market. If wheat and rice go up in price by two annas in the rupee, all other foodstuffs like vegetables, fish, fruit, milk etc., will immediately jump in price for one very good reason that the seller of vegetables, fish etc., is also a purchaser of rice or wheat, and if his rupees refuse to buy him as much wheat or rice as before, he will at once raise the price of his produce to compensate himself for the reduced purchasing power of the rupee. To be a willing party to a policy of raising the price-level all round appears to me to be a deliberate sacrifice of the interests of the poor.

"But, as I have said, the Commission's recommendation about the level at which exchange should be established forms only a minor issue. You will pardon me if I take this opportunity to ask a learned gathering like this one not to ignore the more important and fundamental recommendations of the Currency Commission in a futile controversy over the ratio. The Report has been before you for five months and it is unfortunate that such proposals as the Gold Bullion Standard and the Reserve Bank have not received the attention they deserve. As one of the Commissioners I hesitate to make any remarks which would sound like special pleading, and would, therefore, simply commend you to take the Report on its merits. Treat it as one of practical constructive schemes proposed for the improvements of our currency system and judge it in the light of your comprehensive knowledge of local conditions and the application of sound theory to practical circumstances. The members of the Commission would consider their labours well rewarded if you will bring to bear upon their scheme your analytical powers and by a reasoned synthesis help in pushing forward the reforms so urgently needed in our currency system.

"We have all at one time or other dreamt of a self-determining India, but political self-determination can hardly precede economic self-determination in the modern age. It is for business men and academic scholars together to help in securing for their country that increase in economic freedom and power which will automatically endow India with the status of complete nationhood.

I thank you, Gentlemen, for the very patient hearing you have given me."

Sir Lalubhai Samaldas, proposing Mr. Tannan to the chair, reviewed his career and said that though he did not belong to Bombay he conquered Bombay. He was the first Indian to become a permanent Principal of a College in Bombay.

Sir D. P. Sarvadhikari, in seconding, said that he was not prepared to admit rivalry with Bombay as in University and academic matters there was no jealousy.

### The Presidential Address.

Principal Tannan, taking the chair, thanked the Reception Committee for the excellent arrangements. He devoted almost the whole of his address to a lucid exposition of Indian currency and exchange with special reference to the Currency Commission's report and defended fixing of the ratio at 18 pence on the ground *inter alia* that when the Commission considered the ratio question, the exchange had remained at the higher level for about a year and they, therefore, felt inclined to recommend its stabilisation at that level by statute. He asserted that the ratio would hardly affect small producers and agricultural labourers, and whether or not agricultural debts were increased by the higher ratio depended upon ascertaining the fact whether those debts had been contracted during the last nine years or before. He declared that as pretty nearly the whole of the mortgage debts of the Punjab agriculturists amounting to 37 crores of rupees was less than ten years old, the burden of agriculturists' debts was in no way increased by the 18 pence ratio. However, it might be that a large majority of these mortgages replaced old mortgages and in that case no doubt the burden of debts would be increased by the higher exchange. Though the effect on Government finance of the higher ratio could not be regarded as a decisive factor in determining the rate, its importance could not be ignored as the lower ratio might necessitate either retrenchment in public expenditure or additional taxation. Another argument in favour of the higher ratio was that the price level had more or less got adjusted to it and a return to the lower ratio would entail certain hardship.

### The Gold Standard.

Mr. Tannan agreed with the Commission in stressing upon the system of gold standard with gold currency. As regards the immediate or early introduction of gold currency, he opined that it was not feasible though he admitted that the amount of rupees likely to be offered for conversion into gold could not be large.

Proceeding, he asserted that the immediate realisation of India's sterling securities was neither feasible nor desirable. He believed there would be no great objection to postponement of the opening of gold mint if it is definitely assured that within a comparatively reasonable period (five to seven years) it would be possible to put the Indian currency system on a gold currency standard basis. What was immediately needed was stoppage of the coinage of rupees, building up of the gold reserve required, transfer of the favourable balance of accounts in the form of gold to this country, maintenance of the ratio between gold and rupee and gradual substitution of Government currency notes by new bank notes.

### Importance of Credit Organisations.

After emphasising the importance attached to credit organisations, Mr. Tannan drew attention to the disadvantages of the absence of a proper banking system and emphasised the need for a Central Bank and more banking offices, as also for encouragement of banking habit and wider use of cheque currency. They wanted banks with large capital and long term deposits for financing industries and agricultural improvements. Turning to the training of Indian youths for banking business, he was glad his proposal for starting an Indian Institute of Bankers has already been accepted and it was expected to come into existence in the near future.

Concluding, the President regretted that the study of economics in India has been neglected and strongly emphasised the need for greater attention to the subject in Indian Universities.

### Reading of Papers.

When the Conference reassembled in the afternoon, a number of papers were read by various delegates, most of whom devoted their attention to currency and exchange. Mr. B. R. Rao read a paper on the "Gold Bullion Standard," Mr. J. C. Sinha on "Currency in the early British days" and Mr. A. J. Saunders on "Currency."

#### The Gold Bullion Standard.

Discussing the gold bullion standard, Mr. Rao declared that currency authorities' sole duty would be effectively to assimilate and regulate the consequences of gold export. India could obtain the gold required through trade channels. The automatic nature of the gold bullion standard system would be as effective as in the case of a pure gold standard with gold currency. The Indian currency system required great expansion of the total currency during the bad season for financing crop. The movement and contraction during the slack season of the gold bullion standard did not debar the country from the possibility of ultimate resumption of the gold currency.

#### Future of Paper Currency.

In his paper on the future of our paper currency Mr. Das Gupta said :— "Not the least of the defects of the present (paper currency) law is its unintelligibility except perhaps to university people who are omniscient for the sake of their pupils. Sir Basil Blackett has confessed that once he took up our Paper Currency Acts and after a day's labour with them gave up the task as hopeless. Paper currency had hitherto worked independently and often conflictingly with the totality of currency organisation.

Continuing, Mr. Das Gupta generally agreed with the Currency Commission's proposal regarding the Central Bank and paper currency and gold standard reserves. He sounded a note of warning as regards the elasticity of paper currency and said that though elasticity was desirable, there was also such a thing as over-elasticity.

#### History of Indian Currency.

Mr. J. C. Sinha in his treatise on "currency in the early British days" traced the history of Indian Currency from the Moghul period and its vicissitudes during the regime of the East India Company. He added : "The bark of Indian currency has sometimes sailed through calm waters, but has oftener than not been tossed in stormy seas. Captains have been many.

The most recent skipper is Mr. Hilton Young who was preceded by Messrs. Chamberlain and Babington Smith in the present century, Mansfield, Herschel and Fowler in the nineteenth and Herbert Harris in the eighteenth. The latest skipper, Mr. Hilton Young, has proposed to move the bark of Indian currency to gold by what he has called the gold bullion standard. This is another form of the gold exchange standard which failed us in the last storm of the war. The quest for a safe have begun so long ago is not yet ended."

#### Currency Reform.

Mr. A. J. Saunders in his paper on "Currency" declared that three steps were necessary in currency reforms: First, satisfactory national currencies, then winning the general approval of the industrial and commercial world, and finally evolution of a plan for a satisfactory international currency. Economists should be the first to recognise the great need of internationalising money as establishing a world's monetary system. A doctrine had recently appeared which was going to play a large part in the monetary reform in future. That doctrine was that the general level of prices which also included the value of money and at the same time the general state of trade and employment could be regulated by the work of central banks. He urged greater co-operation among leading central banks of the world for the purpose of regulating the world's demand and supply of gold. Another matter which called for united action was a system of international control of supply of raw materials and foodstuffs and the desirable practice of co-operative marketing. He also emphasised the importance of index numbers and how they should be used in regulating the value of money. All this led them in the direction towards which they were tending, that is, a satisfactory system of international currency.

### SECOND DAY'S PROCEEDINGS.

#### Taxation on Agricultural Incomes.

Abolition of permanent settlement and taxation on agricultural incomes were criticised at great length at the sitting of the Conference on the next day the 4th January. Several subjects were dealt with and though the attendance was thinner than the previous day discussion was very lively and interesting in which a number of scholars participated.

Prof. J. P. Niyogi of the Calcutta University, speaking on taxation on agricultural incomes in Bengal said that the proposal to tax agricultural incomes in Bengal is often as novel and revolutionary in character when income-tax was first imposed on agricultural income in 1860.

Mr. James Wilson anticipated that the cry of violation of permanent settlement would be raised and he took care to make the position of Bengal Zamindars perfectly clear. He further observed that it was never thought of by the author of permanent settlement that Bengal Zamindars would be exempted from general taxes. Continuing, he said that if income-tax had been imposed in 1870 on agricultural income at the uniform rate of 5 pies in the rupee on the basis of a minimum taxable income of rupees two thousand a year, the yield would have been Rs. 12 lakhs. The distribution of agricultural income to-day, he concluded, was not materially different from what it was in 1870 as there were 840 Zamindars at the time; but they were told now that there were 650 Zamindars with a minimum income of Rs. 12,000 a year at present.

Khan Bahadur S. A. Latif, reading a paper on taxation on agricultural income in Bengal, said it was of first importance to ascertain and tap all possible sources of revenue. Money could possibly be found for giving effect to various nation-building schemes by reducing the cost of general administration and by imposing new taxes. He quoted detailed statistics to show the loss of revenue to the Government as a result of permanent settlement.

Concluding he said that under Cess Act, the minimum limit for each kind of cess is half an anna in the rupee. If this rate is increased by another 4th anna there may possibly be good income to the State which may most usefully be utilised in connection with the spread of free primary education and he hoped that the intelligentsia of the country would not oppose this measure.

Mr. V. G. Ramkrishna Aiyar read a paper on capitation taxes.

Mr. C. D. Thompson, Reader in Economics in the Allahabad University, speaking on land value taxation for India, said that he proposed entire abolition of land revenue and substitution of a tax on selling value of land together with income-tax on large incomes from agriculture. He affirmed that there were two outstanding inequalities in Indian taxation. The first was that city land was not taxed except indirectly and highly while agricultural land was taxed heavily by land revenue. The second was that non-agricultural incomes were subject to progressive income-tax taking as much as one-third of the income in the case of largest incomes, while incomes from land were exempt from income-tax. A rich landlord, he emphasised, was taxed too lightly and the poor cultivator too heavily. He suggested that the first inequality could only be avoided by taxing city lands and agricultural lands on the same basis. If city lands were equally taxed, it should be possible to lower the rate on agricultural lands. If agricultural incomes were taxed along with other incomes, the small cultivators would all come below the limit of Rs. 2,000 and would be exempt and the second inequality would be done away with.

#### Taxation Enquiry Committee's Report.

Mr. S. V. Aiyar of the Dacca University criticised at length the report of the Taxation Enquiry Committee and said that as economists they could agree to scientific principles underlying taxation of inheritances such as imposition of death duties and estate duties, but the fundamental question was whether they were necessary. The whole question of equality of taxation depended on the correlated question of taxable capacity of different grades of community which has unfortunately not been tackled at all either by Government or by public from a scientific standpoint.

A discussion followed and a number of delegates participated. Prof. Findlay Shirras said that the Indian Taxation Enquiry Report was disappointing as a scientific document. He was much impressed by what the papers on taxation pointed out, the importance of agricultural incomes above a certain minimum. He emphasised that the absence of taxation on agricultural incomes in Bengal was the case in point specially in regard to funds for education and sanitation, but humorously concluded saying that when "politics enters the door, economics flies out of the window."

Prof. Benoy Kumar Sarkar in a forceful speech invited students of economics "in the name of democracy as well as growing Swaraj that is being established in India to devote greater attention to the question of educating the

public for a large number of direct taxes and for more taxation of every possible source of wealth."

The President, concluding, remarked that he was against indirect taxation as it was difficult to collect and urged for the abolition of octroi duties.

#### Indian Banking System.

The afternoon session of the Conference was devoted to the discussion of the Indian banking system. A paper was read on the organization of banking in India by Mr. B. T. Thakur. A lengthy discussion followed. Mr. Thakur said that the notable omission in Indian banking system was that of the Central Bank enjoying power of note issue. The Imperial Bank has been working so far something like the shadow of the Central Bank and those who had been actually engaged in commercial and banking activities of this country knew fully well how it fell far short of expectation. The chief defect he asserted from the national point of view of Indian banking was that it was dominated by non-Indians. Non-Indians who controlled banking and credit in this country could never really feel the economic pulsation nor could they have any broad national outlook.

Proceeding, Mr. Thakur said that Indian banking system to be complete should have banks owned and managed by the people of this country. There should first of all be a Central bank guiding money market in the national interest. Then they should have Commercial banks financing movements of goods, Exchange banks looking after foreign trade in India's interest, Agricultural banks supplying credit to agricultural community, Land Mortgage banks, Industrial banks, Savings banks and also private banks. Such banks should be protected by discriminating safeguards and watchfulness from powerful foreign organisation. This could only be done by special legislation and by Government administrative control.

Mr. Harish Chandra Sinha of the Calcutta University read a paper on indigenous banking in Bengal. It was through banking reform he suggested that currency reform might really be carried out. Another paper was read by Mr. S. K. Iyengar on rural banking organization.

Mr. Shirras leading a discussion said that the reserve bank brought to the Indian banking system unity of control of currency and credit. Even on the present restricted scale of banking here the absence of unified control over credit made the maintenance of monetary stability most difficult. The development of joint stock banking depended upon those institutions being able to turn in times of stress the maximum amount of their assets into cash and in support of those contentions he quoted from the recent issue of the *Economist*. He further said that to make joint stock banking really secure and thus to foster the growth of banking, a central banking system must now be brought into being. It was much easier to create a new Central Reserve Bank than to recreate the Imperial Bank. If it was to pioneer in branch banking it could not be subject to severe restriction of the Central Bank.

The President, concluding, suggested that a bank should be started by all the Indian banking concerns just on the lines of large foreign banks as an Indian Foreign Exchange Bank.

#### THIRD DAY'S PROCEEDINGS.

##### • Labour Welfare and City Improvement.

The Indian Economic Conference concluded its sittings next day, the 5th January. Prof. Radhakamal Mookerjee, in the course of an interesting paper

on 'Labour Welfare and City Improvement', referred to the appalling infantile death rate and overcrowding industrial cities in India, and said that it was now realized more and more that the whole future of the country's industrial development was bound up with the question of improving the living and hygienic condition in the mill towns and industrial centres.

As a general rule, Prof. Mookerjee proceeded, 'Mill towns and industrial centres are still allowed to be built and to grow in India without reference to any plan or the possibilities of industrial development and expansion of population. Calcutta with her large number of single huts or *bustees* compacted together and Bombay with her immense back-to-back tenement houses represent two characteristic types of bad housing which are gradually spreading to every smaller industrial town in India. The colossal problems of sanitation, sewerage and transport in such big cities can be solved only by the adoption of western methods of town-planning, industrial housing and means of communication. For cities like these the system of zoning and development of industrial suburbs as well as cheap suburban transport have long been felt as essential to relieve the congestion, and progress in these directions will await education as well as the adaptation of rational habits to meet the demands of new development schemes in India. The village is often found split up into self-contained caste wards, each with its temple, its communal assembly and its municipality, as well as its own recreations and festivals. The traditions of handicraft and trade still support the tendencies of segregation and decentralization to a large extent. This characteristic national trait may be utilized in schemes of city development and extensions outside the present urban areas.'

Mr. Findlay Shirras said that in considering the labour problems the first thing that struck him was that the problem of distribution in the next two decades would be more important in this country than the problem of production. As regards the second point on the question of statistics of death rates in Bombay and other cities, they had to be very careful when dealing with those, because the population was not a typical one. For instance, in Bombay there were very few women as compared with men and women also went to their homes to have their first child. As regards the question of housing, the speaker said that in the Buckingham Mills in Madras and the Empress Mills in Nagpur, as also in certain mills in Bombay, a great deal was being done to provide proper housing accommodation for the labourers. Moreover, the Government of Bombay had built chawls, but the workers did not like to go to the chawls as the rents were fairly high and also because they did not like certain modified restrictions which they had to undergo. In his opinion what was necessary more than anything else to raise the standard of living of the workers was the provision of primary education.

The President, in concluding the proceedings, said that the real remedy lay in the raising of the standard of living of the workers. That could only be effected by increased production and proper distribution. If they could accomplish these two things, he had no doubt they would be able to do much to improve the conditions of the labouring classes.

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## FOURTH SESSION OF THE

# Indian Industrial Congress

*CALCUTTA—THE 31ST DECEMBER 1926.*

The Fourth Session of the Indian Industrial and Commercial Congress opened at Calcutta on the 31st December 1926 under the Presidentship of one of the foremost captains of Indian Industry, Sir Dinshaw Petit. This Session of the Congress was a landmark, for the Congress voted its own extinction to pave the way for an Indian counter-part of the Associated Chambers of Commerce. The Congress had been more or less a demonstrative and propagandist body and its proposed replacement by a federation with a proper constitution showed that the Congress had done its duty to mobilise Indian commercial opinion. Such an historic occasion naturally roused the utmost interest in both commercial and political circles and attracted a large number of delegates and distinguished visitors. The spacious Dalhousie Institute hall was packed and presented animated appearance.

### The Welcome Address.

Mr. G. D. Birla, Chairman of the Reception Committee in welcoming the delegates said :—

"On behalf of the mercantile community of Calcutta, I have the greatest pleasure in offering you a hearty welcome. I welcome you to-day when the whole business atmosphere is surcharged with a gloomy feeling and characterised by an outlook of depression. As an after-effect of the great war the world prices are gradually falling and coming to their pre-war level.

"You may be aware that, during the war, while the world prices rose to the extent of 200 per cent, prices in India rose only to the extent of 100 percent due to appreciation of rupee in terms of sterling. As a result of her defective system of currency and exchange, India was deprived of large profit which should have legitimately accrued to her as a producing country and thus, while India did not get the full advantage of the rise in the world prices of commodities, she suffered more than any other country during the depression that set in after the war. You can see very well how to-day, in spite of four successive good crops that India has had, her purchasing power has been crippled and is at a very low ebb and what misfortune it is that, to add to our misery the Government wants to appreciate the rupee by 12½ per cent. It has been said by as great an authority as Mr. Kitchen that, because of the deficient production of gold, considerable fall is apprehended in world prices during the forthcoming year. Heaven forbid and if on the top of all this we have the added misfortune of having one or two bad crops, the cup of India's economic misery will become full to the brim.

"Gentlemen, I am not a pessimist. I do not wish to alarm you, but I want to put only bare facts before you. Because of the manipulation of exchange, we did not reap the full advantage of the world rise of prices



during the war. During the depression, we suffered most of all other countries. Successive good monsoons have kept us on our legs so far and now you have to consider whether India shall be able to stand a further blow of an appreciated rupee with a further fall in world prices and the possibility not unusual of a failure of crop. It is better that we took the time by the forelock and set about devising ways and means to fight the menace, which like the Democles' sword is hanging over your head.

### A Plea for Unity.

"Personally I have got only one solution to offer and that is Unity among businessmen. If you want to live, just unite. Other nations also had some difficulties of similar nature which confront us to-day, and we know how they fought against them and overcame them. We do not require to go very far to seek example. You know how the jute industry of Calcutta has been able to fight against bad times during the last four years. You know how the sugar industry of the Manchester mills and the Rubber Industry of the world have fought and are still fighting against bad times and how they have succeeded. And what a pitiable contrast we find to these examples when we take into consideration the present condition of the Cotton Textile Industry which is controlled chiefly by the people who belong to our country? It is true that the Government has not shown that sense of responsibility and sympathy in dealing with the depressed condition of the cotton industry which we have a right to expect from it. It was only at the end of the last year that after an agitation of nearly 30 years we had an abolition of Exoisie Duties—a tax most unpatriotic in principle and unparalleled in the history of any other country—but you will agree that if it was abolished it was due to the concerted action which we took. Here again the utility and efficiency of united action was proved—

"We ought to take a lesson in this respect from the European community. You know that the number of the European merchants in this country is much smaller than ours and their combination, their unity has secured an influence for them which Indian merchants ought to aspire for. I remember a friend of mine, who was at that time the President of the Bengal Chamber of Commerce, remarking a few years back that it was not the Government of India but the Bengal Chamber of Commerce which ruled the country. I have to confess unfortunately I do not find much untruth in his remarks. In the recent utterance of Mr. Langford James in the presence of His Excellency the Viceroy there is a further proof of the contention. Too much association of Government and its members with the important functions of the Associated Chambers, the Bengal Chamber of Commerce and the European Association also goes to prove this suggestion.

"If we wish that in the interest of India the Indian community would have equal, if not more, influence on the administration of this country, I hope during the next session your conference will have achieved a status and a position by your unity in thoughts, words and deeds which will prove to the country as well as the Government that the Indian mercantile community could not be so easily ignored. It will, I hope, prove to the Government that it is equally essential and imperative for them, if not more, to attend the assembly of the Indian merchants and to be guided by their advice as it is to attend the European Chambers. Gentlemen, I say with all the emphasis at

my command that we are being studiously ignored to-day and this is a situation which is intolerable to us and which we should do all we can to seek deliverance from.

"Now gentlemen, on behalf of the Reception Committee, I again extend to you a cordial welcome to this fourth session of the Indian Industrial and Commercial Congress. To me personally it is a great honour to have this opportunity of welcoming you, but I can by no means overlook the great responsibility which attaches to my position. To those of you who are attending the Congress from places far and near, the Indian Business Community of Calcutta are under special obligation. Our warmth of hospitality should be commensurate with the great pains and sacrifice at which you have attended the Congress. But, if the Reception Committee are unable to impress you with the sincerity of their welcome as deeply as they should, believe me, gentlemen, it is not because they lack intensity of feeling but because I happen to be their ineffective spokesman. If you find any defect or anything wanting in our arrangement and in our reception, I only hope that with the generosity which you are full of you will forgive me and not mind our shortcomings."

### The Presidential Address.

Sir Dinshaw Petit then delivered the presidential address of which the following are the more important extracts :—

"A Committee was appointed to draft the constitution of an All-India Commercial body and this Committee has submitted to this session a carefully drawn out constitution and rules and regulations of the Federation of Indian Chambers of Commerce which is the name suggested by the Committee for the All-India Commercial body. One of the principal resolutions which will come up for your acceptance relates to this Federation of Indian Chambers of Commerce and I hope that the Congress will give their unanimous approval to the resolution, heralding, as it does, a new Dawn for the Commercial and Industrial community of this country and carrying, as it does, in itself the potency of a genuine constructive work through the unity of all our Chambers of Commerce and Commercial Associations. India has not remained stationary and her onward march involves a host of complicated problems, the solution of which requires all the united strength of the Indian Commercial and Industrial community. Not only this but the dependent position of political and economic life in India makes it necessary for the Indian commercial and industrial organisations to stand shoulder to shoulder to fight against policies for exploiting this country and for retarding the development of its trade and industries. I congratulate the Indian Chamber of Commerce and the Bengal National Chamber of this City on their energy and zeal which have made it possible to have a Session of the Commercial Congress within one year of the last Session. If the resolution which is tabled before you meets with your approval, this Session will be the last to be known as the Indian Industrial and Commercial Congress as the future sessions will be known as the annual meetings of the Federation of Indian Chambers of Commerce. Let us hope that that new body will be a live and active organisation playing a great and conspicuous part in the history of trade and industries of this country.

### The Exchange and Financial Policy of the Government.

"I referred just now to certain policies which were meant for the economic exploitation of this country and for retarding the progress of its trade and

industries. A glaring instance of this is afforded by the financial policy, which has drawn the attention of all our countrymen, at present pursued by the Government of India consequent upon the Report of the recent Royal Commission, some of the recommendations of which the Government of India seem to have made up their mind to put into effect in spite of the strong opposition of the Indian commercial community. People may not realise dangers which may lurk in particular policies of finance and it has therefore happened on several occasions in the past that even the most iniquitous pieces of legislation affecting the currency and exchange of this country have excited very little interest in the country and have been passed without much opposition. During the last six years, however, thanks to the ever vigorous vigilance of the Indian Merchants' Chamber of Bombay, the financial conscience of the people has been aroused and the business community and even the lay public have begun to realise dangers that remain hidden in certain steps affecting the financial policy of the land. It is just because the financial conscience of the country has been aroused that we see a widespread and healthy agitation in the country against some of the recommendations of the Royal Currency Commission being foisted upon us. The worst of it is that the present policy of the Government and the recommendations of the Royal Commission are not an isolated incident but form, if I may say so, the logical evolution of the whole economic and financial policy which has been pursued by the Government of India since their establishment in this country. Whether you consider the acts of the East India Company which ruined the handloom industry of this country and reduced India from the position of an exporting country to be merely a bondslave of Lancashire importing more than rupees sixty crores of piecegoods or the steps which retarded the growth of the cotton textile industry or the steps which have cheated India of her legitimate Gold Standard and Gold Currency—all these are tarred with the same brush. All of them are marked by one common characteristic viz., a desire to benefit England at the expense of India.

"A good deal can be said on the recommendations of this Royal Commission, but I do not wish to weary you by repeating what you must have read in the papers or heard from the platform. A body of experienced and leading merchants has been formed under the name of the Indian Currency League and its intensive propaganda could not have failed to reach you. I therefore do not desire to make further remarks on this topic, which at present is all-absorbing and of the greatest importance. I cannot, however, pass on without expressing my great appreciation of the services of my esteemed friend Sir Purshotamdas Thakurdas rendered as a member of the Royal Commission. Single-handed, he has stood out boldly for his studied views and opinion and by so doing he has won the hearts of his countrymen, though he may have forfeited his chances of being nominated to future commissions. The country will give its verdict on the recommendations of the Royal Commission through their chosen representatives when they are brought before the Legislative Assembly at the next session and His Excellency the Viceroy and will not be set aside should it be against such recommendations, by using his power of certification. I believe this will be the first occasion after His Excellency Lord Irwin has ascended to the high office of Viceroyalty of India that he will be called upon to take a decision of an immensely far-reaching character which would gain for the Government the confidence of the people of this country or further alienate the rulers from the ruled.

## Industrial Development.

"The development of industries has often formed a favourite theme on many platforms and in the Press in this country. Unfortunately, the result is not great and a good deal of leeway still remains to be made before India can be considered a big industrial country. It is true she is recognised by the International Labour Conference as one of the eight leading industrial countries of the world, but her industries have not yet been developed in such a manner that she can be considered to be self-contained in the matter of her requirements. It was the war time ideal of the Government of India to make India a self-contained country and herculean efforts were made to get all the articles required for the military or civil use of the Government from indigenous resources. All this war time enthusiasm died away and the industrial situation remains practically what it was in pre-war times. If, at all, there has been some set-back consequent upon the reaction which has followed in the wake of the boom period when hundreds of new companies were started with a nominal capital of crores of rupees. It would not be an exaggeration to state that about 80 to 90 per cent of these new companies have proved still-born infants or have been forced to go into liquidation. All this holocaust has frightened away the usually shy Indian capital and new companies find it now extremely difficult to get adequate financial response. There was several causes for the catastrophic end to the boom period, one of the chief of them being lack of the necessary technical skill and training. It is not a little sad that despite strong demands of the public for technical education our young men should have still to go to foreign countries to acquire it and that there should not be even one Technological Institute in the whole land. We cannot rest content with merely saying that the Government have failed in their duty by not providing such an institute. If they have failed in their duty so have we, and I trust this question will now be seriously taken up and before long every facility will be provided for the Technical Education of our young men. It will not only be a help to our industries, but also will go a great way to relieve the middle-class unemployment of which we hear so much now-a-days. India is primarily an agricultural country and it should not be the ideal to convert her into a purely industrial country in the sense in which, for instance, England and Germany have become industrial countries. But we must at least be able to use our raw material for making the finished article instead of as at present the raw material going out of the country for the foreigner to convert it into, or utilise it in making, a finished article, which would bring him greater amount of money which should have been ours but for our backward industrial state. New industries cannot be started till our young men have the requisite technical knowledge which would be impossible in every instance to obtain in India and could only be obtained by practical work inside the factories. Our boys should, therefore, be sent out to different countries in Europe and to America and Japan to get the necessary training which would help them in starting new industries in India. Neither the Government nor the nation have taken up this question seriously.

## The Agricultural Commission.

"We must always recognise the supreme importance of agriculture to this country. It is because of this that I appreciate the appointment by the Government of the Royal Commission on Agriculture. We hope their

investigations in this country will convince them that the agricultural population is living on the verge of starvation and that it is useless to preach them improved methods of cultivation, unless facilities financial and other have been provided by Government. It will be incumbent upon them to make suggestions that will lead to an improvement of the present income and the present financial position of the cultivator. The introduction of modern methods in agriculture will necessarily involve the use of up-to-date implements which if once adopted by the agriculturist will be required always and to the tune of several lakhs and I trust that due steps will be taken to manufacture them in India with Indian labour and as far as possible with Indian material. One of the pressing problems before the Commission will be the utilisation in the best manner possible of the spare time of agriculturists and it may well be that the spinning wheel may be accorded a fitting recognition in the national economy. The problem of agricultural finance needs also pressing attention. Any consideration of this will involve the consideration of the effects of the currency and exchange policy of the Government of India on agriculture. The indebtedness of agriculturists is terribly heavy in this country and is put down at between Rs. 600 to 800 crores.

"Co-operative Credit Societies which involve a finance of Rs. 50 crores have been rendering some help in the way of financing agriculture, but much more is needed in the shape of Agricultural Banks and a great number of co-operative societies if the vast problem of agricultural finance is to be properly tackled. Till then, I fear, the complaint that towns and cities are developing at the expense of villages from which men and money are drained away will remain justified to a large extent.

#### The Transport Problem.

"Coming to the transportation problems, the first thing that attracts the attention is the heavy freight charges and passenger rates which have increased so much as compared with pre-war rates. The movement in all the countries has been recently in the direction of reduction, but in this country such reductions, if any, are so far most disappointing and I do not think I am exaggerating when I say that the present railway rates and fares are a most serious burden on trade and industry in this country which is now under a serious and increasing depression for several years. The Finance Member puts it down as one of the blessings of his eighteen pence rupee that the railway rates and freights will be reduced. No such reduction is visible as yet despite the fact that the eighteen pence ratio has been in operation for about two years. These freights and rates act as a strong deterrent against the progress of trade, industries and agriculture and early steps must be taken to give relief in this direction to the public. It is sometimes argued that the rates and fares in this country are cheaper than those prevalent in some of the Western countries. For purposes of comparison, however, the poverty of this country must be taken into account. Rates and fares which may be considered low for a rich country like England or the United States of America cannot be compared with those of an extremely poor country like ours. In connection with the railway freights, you all know that the Railway Rates Advisory Committee is now in existence since the last six months. This body was created under the recommendation of the Acworth Committee and on the pressing demands of our commercial community. Unfortunately, the constitution of the Advisory Committee

is not what was recommended by the Acworth Committee or asked by the commercial community. This should not deter us, however, from making as much use as possible of this Advisory Committee. It rests with you Gentlemen, as representatives of the different Chambers of Commerce and Commercial Associations, to place the questions affecting rates before the Advisory Committee for necessary action.

"The other aspect of the question is that more attention should be paid to developing the agricultural districts and providing light railways for them rather than devote immense amounts of money merely to what are called "trunk lines" which are of military importance and which cater more to the foreign import and export trade rather than to the internal trade of the country. In this connection the part being played by the automobile industry in the development of agricultural districts deserves special mention. This development of the automobile traffic is of recent growth only but I shall not be considered to exaggerate if I see a very large future for this traffic in this country of vast distances and with huge tracts still left untouched by the railways. The automobile traffic has been at several places competing with the railways even in the advanced Western countries and there is no reason why it should not have an equally good field here, specially as there are several large areas that the railway system has not penetrated as yet. I admit that every motor car or truck imported means so much money gone out of the country, but the remedy for this does not lie in the continuance of our old-time cart traffic but in the development of motor-car making industry in this country".

After criticising the policy of the Government in not accepting the recommendations of the Mercantile Marine Committee and after welcoming the announcement that a training ship would work at Karachi, the President continued,

#### Taxation Question.

"There will be some resolutions before you, Gentlemen, dealing with the question of taxation. I would like to repeat, what Sir Purshotamdas Thakurdas, as a member of the Retrenchment Deputation said before Lord Reading, that the maximum taxable capacity of the people of India had been long passed. The main burden of taxation falls upon the trade and industries of the country, and there is always a tendency to mark them down as the best fitted to bear any burdens that may be imposed upon them. They may be a good milch-cow but there is a limit even to the capacity of a milch-cow to give milk and there is the well-known proverb of "killing the goose that lay golden eggs." It must be remembered that besides Imperial taxation there is now taxation imposed by the Provincial Governments as also the different rates and cesses imposed by local bodies like municipalities, Port Trusts, etc. I am glad to note that a large number of elected members of at least one Council *viz*: the Bombay Legislative Council are taking steps to form a party to oppose any proposals for further taxation. The lead which is thus given by Bombay may well be taken up by members of the other Provincial Legislatures as also of the Legislative Assembly. We must all combine in asking for a halt to any further proposals of taxation. If the revenue is not sufficient to meet the expenditure, there must be cuts in the latter and not any increase in taxation.

## Labour Legislation.

"You all heard a good deal about labour legislation during the last few months when the Cotton Textile Tariff Board met to collect evidence. India is one of the few countries which have loyally carried out the recommendations and resolutions passed by the International Labour Conference of Geneva. Here too, however, as in the case of taxation, there is a limit to the capacity of this country to adopt such legislation. I am not opposed to labour legislation. For the matter of that, the Bombay Millowners' Association too, are not opposed to labour legislation as is seen by the fact that they have approved of and observed in practice the different legislative enactments passed by the Government of India affecting the position of labour. What I want to say, however, is that not all the recommendations with regard to labour passed by the International Labour Conference can be suitable to this country. Our social and economic conditions, not to mention political, are different in many respects from similar conditions of the West, and it would be impeding the growth of industrialism in this country for it to be asked to adopt all the latest labour legislative measures that may be adopted by more advanced countries which are well established in their industries.

"In connection with this question of the International Labour Conference and the other International Conferences, the Indian public has got a good deal of grievance against the Government. These International Conferences are a feature of post-war conditions in the world and every country which is a member of the League of Nations or the International Labour Conference makes it a point to be represented by its own nationals. It is only India, so far as I know, which is asked to rest satisfied with non national representatives at such Conferences. The Honourable Sir Pheroze C. Sethna drew attention to this state of things in the Council of State and there was a good deal of agitation by several of our Indian Chambers of Commerce during the current year with regard to the appointment of a representative of Employers to the International Labour Conference. Time has come when the Government of India must be asked to lay down in so many words that India 'shall be' represented at all these International Conferences and Congresses only by Indians, recommended by the Legislative Assembly. It is a question involving our self-respect and it should not be treated lightly.

"Gentlemen, I have done. It is essential for a healthy growth of trade and industries that both the Government and the people should be keenly alive to the necessities of the situation and do their best for removing any impediments which may be standing in the way of such a development. I have pointed out several directions wherein the Government may fulfil their part of the duty. May I say that our part of the duty consists in developing a spirit of corporate and public life and a spirit of working hand in hand and shoulder to shoulder without any difference with regard to Provinces, or caste or creed? It is because I think that Chambers of Commerce and Commercial Associations are helpful and instrumental in bringing about such a spirit that I welcome the proposal for the establishment of the Federation of Indian Chambers of Commerce.

"With these words, Gentlemen, I have now to request you to proceed with your deliberations".

After the Presidential Address has been read all the delegates of the Congress constituted themselves into a Subjects Committee which met in the afternoon and disposed of several resolutions to be put in the open Congress next day.

## Proceedings and Resolutions.

### 2ND DAY—THE 1ST JANUARY 1927.

The Industrial and Commercial Congress reassembled at noon on this day with an agenda containing 32 resolutions as passed by the Subjects Committee. Most important of these related to currency and exchange and was the subject of interesting discussions. The resolutions recommended the adoption of 1s. 4d. ratio, condemned the gold bullion standard as a retrograde step and urged gold standard with a gold currency, and the location of reserves in India, protested against deflation, was alarmed at the probability of sale of silver from the Currency Reserve, opined that the sale of Council Bills and purchase of sterling in India should not exceed home charges budgeted for the year, and lastly urged the retention of normal legal obligation to convert currency notes into the metallic equivalent subject to suspension of obligation with the Assembly's approval in case of emergency such as abnormal rise in silver price. The Subjects Committee was also able to dispose of the day before the entire business and accordingly helped the Congress to conclude its labours earlier than was apprehended when notices of 148 resolutions were received from various constituent bodies.

#### 1.—Development of Indian Banking.

Sir Dinshaw Petit said that the currency resolution would be discussed later. Two resolutions put from the chair were adopted, namely (1) for the immediate appointment of a Commission consisting of a majority of Indians with an Indian as Chairman to investigate the present position of Indian banking generally to suggest measures for further development and (2) that the stamp duty on cheques and bills of exchange be altogether abolished as recommended by the Currency Commission in paragraph 116 of the report.

#### 2.—Draft Constitution of Federation of Chambers.

Sir Purushottamdas moved: "The Congress approves of the constitution and draft rules and bye-laws of proposed Federation of Indian Chambers of Commerce and resolves that a Provincial Committee be appointed with the President of the Congress as President and the following gentlemen as members to look after the affairs of the Federation till a new Committee is elected under the rules and regulations of the Federation: Mr. G. D. Birla, Sir Purushottamdas Thakurdas, Mr. Vidyasagar Pandya, Mr. Jamal Mahomed, Lala Harkishen Lal, Adamji Haji Dawood, Messrs. Jamshed Mehta, Vikramjit Singh, Shri Ram, W. C. Banerjee, B. F. Madon, Kasur Bhai and Mr. D. P. Khaitan, and Rai Bahadur A. C. Banerjee, treasurers".

The resolution was passed.



### 3.—The Currency Resolution.

Mr. G. D. Birla next moved the currency resolution :—

(a) "This Congress has read with great alarm and regret that portion of the report of the Royal Commission on Currency and Finance recommending the 18d. gold ratio (5.47 grains of gold) in defiance of practically unanimous Indian opinion in the country and records its firm conviction that the proposed 18d. ratio, will, if adopted, be to the serious detriment of agriculture and industry and will increase the burden of the agriculturist and drive him deeper into debt. This Congress further urges upon the Government that in the proposed legislation for Reform of Currency system, the exchange value of the rupee should be fixed at 7.53 grains gold.

(b) "This Congress reiterates the opinion of the third session of the Congress held in Delhi in February 1926 that the present system of currency is harmful to the interests of this country and the present gold resources of the country being in the opinion of this country sufficient for the immediate introduction of an effective gold standard and gold currency the present system should be replaced by a gold standard and gold currency at the earliest practicable date. This Congress is further of opinion that the gold bullion standard recommended by the Royal Currency Commission and embodied in the Currency Bill introduced in the Assembly in last August is merely the gold exchange standard in another name and is a retrograde step from the policy recommended by the Fowler Committee and accepted by Her Majesty's Government.

(c) "This Congress is of opinion that all reserves should be located entirely in India, that all future accretion to reserve should be in the form of gold and that existing securities in reserves may be realised as recommended by the Currency Commission.

(d) "This Congress lodges its emphatic protest against the policy of continued deflation for maintaining the exchange value of the rupee at 18d. as it endangers the establishment of an effective gold standard.

(e) "This Congress views with alarm the probability of sale of silver from the Currency Reserve and deprecate any policy which may necessitate such sale. This Congress draws the attention of the Government to the serious decline in price of silver during the last three months based on an apprehension of such sale by the Government of India and records its confirmed opinion that as investments of masses in ornaments, etc., are to a large extent in silver any further decline in the price of that metal will so reduce their resources as to seriously affect their power.

(f) "This Congress is of opinion that Council Bills and purchases of sterling in India either by the Government or by currency authorities should not, in any year, exceed the amount of home charges budgetted for that year in order not to impede free inflow of gold into India and thus insure building up of gold resources of the currency system.

(g) "This Congress disapproves of the recommendation of Royal Commission on Indian Currency and Finance which suggests the abolition of the Government to convert on demand currency notes of the Government of India into their metallic equivalent. This Congress, moreover, recognises that under certain contingencies and, therefore, suggests that retaining normal legal obligation, provision may be made by law against an extraordinary emergency when with the sanction of a specific resolution of the Assembly

passed in that behalf the legal obligation may be suspended for the time being to tide over an emergency such as an abnormal rise in price of silver."

In moving the above resolutions Mr. Birla reviewed the recent history showing how 40 to 50 crores were lost in trying to stabilise the exchange at 2s. The exchange came to 1s. 4d. but the Government forced it up to 1s. 6d. and wanted to stabilize it at that figure. Sir Basil Blackett's strongest points were that the ratio was *de facto* and that prices had adjusted. As for the *de facto* rate, the Government could, with its resources, force the exchange up to 2s. and say it was the *de facto* rate. Similarly, whatever the rate of exchange, exports to and imports from foreign countries adjusted in themselves easily, but Sir Basil Blackett had given no answer to the question whether prices of commodities in this country had adjusted themselves internally, whether the interest paid to the sahuکار and railway rates, for instance, had adjusted themselves to new conditions. He charged the Government with imposing by foul means taxation to the extent of 12½ per cent. He condemned the gold bullion standard if it was to be a permanent institution but would not be so much opposed to it if the ultimate ideal was a gold standard with gold currency.

Mr. B. F. MADAN in seconding the resolution said :

There is a most important reason why we insist on a gold currency. The gold coins cannot appreciate or depreciate in value in terms of gold. A sovereign is 113 grains of fine gold and it cannot be worth more than 113 grains or less than 113 grains. Therefore, if we had gold coins in circulation, the man in the street would know what his own currency was and would not be so easily misled as he has been in the past ten years as to the true nature of the manipulations that the Government has been carrying on. We condemn the gold bullion standard, recommended by the Currency Commission. This is because it is not only no advance on the pre-war position but is actually a step backwards. In pre-war days, we had silver rupees in general circulation but sovereign also was legal tender and millions of sovereigns did actually go into circulation. Under the gold bullion standard, there is to be no gold coin in circulation. You are, of course, told that you will be allowed to get gold in exchange for currency provided you can take not less than 400 oz., say 1,000 tolas at a time, how many of us even in this room can avail ourselves of this facility. It is merely a mirage and if we agree to it we shall never have a gold currency, never be in a position to make our own receipts and payments in gold and five or ten years hence we shall be told that we have been able to do without a good currency and there was, therefore, no need for one for another 50 years. This will mean that the currency system of this country will be at the mercy of manipulation for all time, because the average man will find it difficult to appreciate then as he has found it difficult to appreciate to-day that there was any manipulation going on. We are told that the Currency Commission most carefully considered the question of a gold currency but found it impossible to inaugurate it to-day. They do say so. But that is because they went on a wrong assumption that the rupees now in circulation had to be called in and gold coin put into circulation in their place. Then they talked of the immense amount of gold that would have to be provided for such an operation and told us that neither America nor England could give it, etc. They need not have made any such assumptions. Our case to-day is very similar to that of the United States in 1898 when it wanted to go on to the gold standard. That

country also then had a vast amount of silver money in circulation. That country also did not then command sufficient gold to convert all that silver money or any large part of it into gold and what it did then could very well be done by us to-day. In fact Mr. Benjamin, the Governor of the Federal Reserve Bank of new York said so.

Alluding to the ratio, Mr. Madan said : This device of ratio was resorted to enable us to link the rupee to gold when after the report of the Fowler Committee, this country decided to finally abandon the silver standard and go to the gold standard. Then also we had the same problem. It was considered impossible to withdraw the silver rupees and substitute gold coins. So the device was adopted of leaving the rupee as it was, but providing by law that it should be equal to 7.53 grains of gold. Therefore ever since the Fowler report we were on a gold standard with the rupee as a fixed fraction, the fifteenth part of our gold coin. For various reasons it was considered unnecessary to introduce a new gold coin of our own and true sovereign was adopted as gold that should circulate in this country as it did in England. Ever since then whenever we spoke of having to pay or receive say Rs. 1,500 it really meant having to pay or receive 100 sovereigns and this was the basis of all contracts. The Government now want to make the 18d. gold. This really means that for every Rs. 1,500 of land tax they want to collect from us £112½ instead of the £100 that would otherwise be due to them. This is bad enough but what is far worse is that they compel everyone who has to make any payments to pay 12½ per cent. more in gold to his creditor or find 12½ per cent more in its equivalent in commodity. The section of the population that is most largely concerned is our agricultural population whose indebtedness may be roughly put down at about 800 crores. The burden of this debt is increased by 100 crores, namely the cultivator will have to find a further 100 crores worth of commodity to repay this debt whenever he is in a position to do so. If he is paying say 1 per cent. per month for interest, the total interest burden is about 96 crores and the change to 18d. means that our agricultural population must find year by year a further 12 crores worth of commodity to pay this charge alone. Sir Basil Blackett has been good enough in some of his recent utterances to point out that when we talk of 16d. or 18d. we really mean that rupee should stand for 7.53 grains or for 8.47 grains. He cannot but agree that the principal and interest due by the cultivator will now be equal to so many more grains of gold. The argument is, however, put forward that prices of commodities having risen, the cultivator is now so well off that he can afford to pay these increased charges. Those who argue like this do not appreciate that it upsets the very foundation of all contracts. Prices of commodities are really the remuneration that the cultivator gets for his labour. If it is right to ask him to pay more because he earns more, it would surely be right to apply the argument all round. Thus, if a man has contracted a debt of Rs. 2,000 when drawing only Rs. 200 a month, it was equal to the value of 10 months' labour. Suppose he is now earning Rs. 300 a month. Would it be right to say that there was nothing wrong in asking him to pay Rs. 3,000 against that debt of Rs. 2,000 because it still meant only 10 months' salary. Put thus, I am sure you will all agree that the thing is absurd and that there was no meaning in making contracts if they had to be varied when the circumstances of the debtor changed. But let us take the argument a bit further. Suppose this man had

contracted a debt of Rs. 3,000 when he was earning Rs. 3,000 a month, but owing to trade depression he is now getting only Rs. 200 a month. Can he justifiably ask his creditor to reduce the debt from Rs. 3,000 to Rs. 2,000. The very thing is absurd. But if they argue as they do that the cultivator should pay more because he is earning more to-day, these people in ordinary fairness should also agree that he should pay less when he earns less. In other words if prices go down, 33 per cent. i.e., back to the power level, the cultivator should also be put in a position to pay less to the same extent to the sowcar. Is such a state of things feasible, even thinkable? Are we to manipulate currency up and down every few years to readjust debts in this way? I don't think this is seriously meant by those who are putting such arguments forward. It is only done to-day to beguile us into quietly accepting the present manipulation. There are some people who refuse to agree that there is any loss to the cultivator and go at a tangent into talk of commodity prices, etc. The plain issue is this: Government says it makes a profit of about 4½ crores in exchange. What we may ask these critics is from whose pocket comes all this? Does it drop from the Heaven? Then there are others who say rightly or wrongly 18d. is there for 2 years. Why disturb it? Many of these people are Englishmen. I would ask them, is a wrong not a wrong if it has prevailed for 2 years? If the doctrine is sound, then Germany was in Belgium for 5 years. Why did Britain and the Allies make such tremendous sacrifices in order to drive Germany out.

Another point that we make is about deflation. I believe that what with sterling securities and Indian securities there has been a total deflation of some 27 to 28 crores since 1st April 1926. In his evidence before the Currency Commission, Sir Basil Blackett said that 25 crores would be an outside figure and a member of the Commission, I believe, Sir Naroot Warren, said that it could not be more than 10 crores. Well, to-day after a good monsoon, the Government has been compelled to deflate more than what Sir Basil Blackett himself thought the maximum and this shows what immense sacrifices of our reserves have already had to be made to maintain the 18d. ratio. What shall we do if we have one or two bad years in succession? The worst of it is that it depletes our gold resources and actually puts the establishment of the gold standard in danger. It is, therefore, necessary to protest most emphatically against this action of the Government.

Mr. R. K. Sidhwa (Karachi), supporting the resolution, said that public opinion should be thoroughly created in this country in order to strengthen the hands of Indian members in legislatures and thereby compel the Government not to put their bill into operation.

#### An Amendment Ruled out of Order.

The President announced that there was notice of an amendment by Mr. Jadu Nath Roy (of Bengal National Chamber) that there was no reason to oppose the Currency Commission's recommendation for 1s. 6d. ratio.

The President pointed out that he had no desire in the least to stifle opposition but the amendment, being a negative one, was out of order. At the same time the President allowed Mr. J. N. Roy to explain his views against the resolution and even vote against it.

Mr. J. N. Roy, thereupon, opposed the resolution. He warned them that even Germany and France with their big resources could not prevent

the fall of the mark and the franc. Why, he asked, lower the purchasing power of the rupee? As Sir Sivaswami Aiyar had shown, the agriculturist was not only a producer but was also a consumer and that in most cases, they were consumers more than producers. 1s. 4d. would thus adversely affect the agriculturist. He was opposed to artificial help to industries. The policy of protection was there for that purpose.

\* Mr. Amirchand of Delhi speaking on behalf of importers, appealed to the Congress to keep in view that whatever the rate of exchange, importers stood for stability and they were already committed for months on 1s. 6d. basis. If the ratio was suddenly changed into 1s. 4d., importers would lose as heavily as in 1921. He pleaded that the Government's policy should be given another trial for a year and they should see whether the Government maintain sufficient gold resources. If the Government failed again, then would time come for some remedy.

Sir Purushottamdas Thakurdas regretted that Mr. Jadu Nath Roy had not given many reasons for the attitude of opposition to the resolution. He could not understand the reason underlying his support of 1s. 6d. ratio. He wondered if Mr. Roy spoke in his personal capacity or on behalf of the Bengal National Chamber of Commerce.

Mr. J. N. Roy: I was speaking in my personal capacity.

Sir Purushottamdas Thakurdas: "I am glad to hear that. Indeed I would have been surprised if it was otherwise, for we have here opinions of the Bengal National Chamber of Commerce oral as well as written given before the Currency Commission and there is clear evidence that they did not oppose 1s. 4d. nor supported 1s. 6d. ratio. The President of the Commission put the definite question to the representative of the Bengal National Chamber before the Commission as follows: "To what rate of exchange in your opinion the country has adjusted itself?" The answer was 1s. 4d. The next question by Mr. Hilton Young was "and it follows that no adjustment has taken place to 18d. ratio?" The witness replied 'Yes.' Thus if there had been no adjustment of 18d. ratio on the 4th January last year, Sir Purushottamdas wondered whether within a year complete adjustment had taken place to warrant the position of Mr. Jadu Nath Roy.

Regarding Mr. Amirchand's opposition, Sir Purushottamdas fully sympathised with the importers but it was clear that the latter part of his speech was in favour of 1s. 4d. ratio and against 1s. 6d. ratio. It was quite true that the importers in this country had an impression that they would be hit by the lower ratio. He asked Mr. Amirchand whether his Association (the Delhi Importer's Association) had considered the question as to how after four good monsoons, India was not able to afford or purchase imported articles despite all the efforts and resourcefulness of middlemen. The Delhi Association should join in settling this exchange question instead of speculating and taking risks of exchange in the chance of saving 1/8 or 1/16 pence. To the importers also it was far better that this question of ratio was decided soon rather than be hanging on uncertainties. But the decision must be in the interests of the whole of India and not in the interests of one class or community. As Sir Basil Blackett himself pointed out in his speech in the Assembly, the ratio must be fixed at whatever figure not in the interests of the consumer or the taxpayer considered in isolation but of India as a whole.

Proceeding Sir Purshottamdas referred to the speech of the Finance Member made at Cawnpore and alluded to that portion of it which related to exchange fluctuation and pointed out with the help of statistics that except for a period of 20 months, the rupee ruled about one and four gold and certainly under one and six gold. The one and four gold ruled from 1899 to 1924 when the Government deliberately rigged it up higher. What then was the good of the Finance Member trying to keep back from the public that the figures were for sterling and not for gold? The discussion was all along for gold and not for sterling. If it had been any other person, he (speaker) would have accused him of deliberately misleading the country but as the person was the Finance Member of the Government, he would reserve his remarks for a different occasion. (Loud laughter and cheers). Then again, Sir Basil Blackett had sought to make out that there was no difference to cultivators whether the exchange was fixed at one and four or one and six ratio. He did not think that Sir Basil took the authority of small men but there was the authority of Right Hon. Hilton Young. Mr. Hilton Young was the Editor-in-Chief of "The Financial News" and Mr. Hamilton addressed a letter to that paper on the 27th August pointing out that the Bill introduced in the Assembly was unfair to the producer because it added to the burden of the cultivator. The suggestion was that if one and six ratio was placed on the statute book then the Government should give a proportionate decrease in land revenue collection as soon as the Bill was passed. The note by the editor was: "Assuming that the present Currency Bill be adopted, the assessments as they fall in must be revised under 1s. 4d. basis land tax." Thus it was clear that the argument that agriculturists were not affected was clearly wrong.

Proceeding Sir Purshottamdas referred to the fact that certain papers which were sometime ago opposed to one and four ratio were now expressing themselves that the Finance Member made a mistake in not setting the ratio when in September 1924, things were favourable for stabilising the ratio at one and four and they all know how one and six ratio had worked. The total deflation since first April last had been thirty-one crores and yet there were people in India who got up and said that the rupee must be stabilized at one and six. The two factors which must guide them in settling this ratio problem were attainability and maintainability and judged by both, the one and four was the only ratio and not the ratio which had been maintained artificially by adopting unjustifiable methods, methods which lacked the sanction of the Indian people. The European element of the population had been significantly silent in public over one and four ratio and very few had the courage of conviction to openly support that ratio although in private talks they would express themselves in agreement with Indian opinion. Sir Basil had told India, that unless one and six ratio was accepted, there would be no other currency reform. It was for the legislature to give an adequate reply to this challenge. The effort of the Finance Member to fix the ratio at one and six was a concerted attempt to take India to two shillings ratio. He saw danger ahead in this attempt and urged Indians to thwart the Government in their efforts. They must also tell the Government that they knew the problem well and proposed to look after themselves.

The currency resolution was then put and passed by an overwhelming majority, only three dissenting.

## 4.—The Insurance Legislation.

Mr. R. H. Gandhi of the Burma Indian Chamber of Commerce moved : "This Congress is of opinion that legislation is urgently needed for proper regulation of life, fire, marine and other insurance companies in India with a view to safeguarding the interest of policy-holders and the general public." Mr. Gandhi was supported by Mr. Khaitan. They emphasised that foreign insurance companies operating in India did not invest premiums in this country. Their properties were not in India and policy-holders had no means of recovering the loss if a company closed. This free permission given to foreign insurance companies was proving more disastrous. Conditions were imposed which made it impossible for Indian companies to do business, for instance, in respect of jute trade. Such state of affairs could be permitted under British rule only. Both in the interest of policy-holders and indigenous enterprise, the present policy must be condemned.

The resolution was passed.

## 5.—Income-Tax and Business Losses.

Rai Bahadur Badrinath Goenka of the Marwari Association, Calcutta, moved and Mr. Amulyadhane Addy of the Bengal National Chamber supported the following resolution, which the mover said asked for elementary justice, which was passed : "This Congress wishes to impress on the Government the equity of making provision for business losses, when counting income-tax and strongly recommends that it should be made permissible for assesses to carry forward losses for an adopted period of three years, a principle which is endorsed by the Taxation Enquiry Committee in paragraph 230 of their report."

## 6.—Export Duty on Hides and Skins.

Mr. Mahomed Ismail of the South India Hides and Skins' Association, Madras, moved : "This Congress strongly urges the Government not only to maintain the present export duty on skins and hides but also to restore it to the original figure of 15 per cent."

Mr. Ismail pointed out that this was the most important industry of Madras Presidency and that the Fiscal Commission had recommended its reduction, without the higher duty having had a fair trial.

Mr. C. Gopala Menon thought that the tanning industry was passing through great crisis. He was alarmed at the suggestion made by Sir Basil in Burma that he would abolish the duty at an early date. This would mean that tanners in this country would face the same situation as the Bombay mills were facing at the hands of Japan in respect of cotton goods made from cotton exported from India.

## 7.—The Abolition of Cotton Excise Duty.

Sir Dinshaw Petit put from the chair the following resolution which was passed : "This Congress marks its appreciation of the abolition by the Government of India of the unfair cotton excise duty removing a longstanding grievance of this country and trusts the Government will adopt suitable measures to enable this most important industry to maintain its ground against unfair foreign competition."

## 8.—Enquiry into the Question of Coal Trade.

Rai Bahadur A. C. Banerji moved: "Having regard to the observations in the minority report of the Tariff Board by Mr. Ginwalla that the examination of the question of export of coal is still incomplete, and that it can no longer be undertaken as a piece-meal business and also that of the majority report to the effect that duty alone is not sufficient to bring about the development of coal trade of the country (which gave them ground to reject the claims of the trade to duty on foreign competitors), this Congress urges on the Government of India to refer the question again to the Tariff Board this time with an enlarged scope of enquiry comprising within it the question of a countervailing duty on South African coal, duty on all imported coals and oil fuels competing in the coal market of the country."

In moving the resolution Mr. Banerji said that Mr. Ginwalla put such critical questions and cross questions that they thought he (Mr. Ginwalla) was opposed to it but his minority report showed that Mr. Ginwalla was only anxious to get at the bottom of things.

Mr. N. Parekh seconded and the resolution was adopted.

Mr. H. D. Jasani of the Bombay Shroff Association and Indian Merchants' Chamber also supported the above resolution before it was passed. They pointed out that the demand was supported by the European community as the Income-tax Department, Mr. Jasani said, was becoming severer every day and was squeezing out as much as possible.

## 9.—Enquiry into Multifarious heads of Taxation.

Rai Bahadur A. C. Banerjee of the Indian Mining Federation moved that in view of multifarious taxation on different heads such as road, water cess, health cess, etc., which are overburdening collieries in Jharia and Raneeaganj fields, this Congress urges on the Government to make a sifting enquiry into the matter with a view to find means to lighten existing burden and fixing it at a lower percentage. Mr. Banerjee said they had already been addressed by the Government and had been told by them that they would favour amalgamation of various boards which levied cesses but in order that reduction might be brought about in respect of total cess charge, they wanted a Committee of Enquiry.

Mr. W. C. Banerjee of the Bengal National Chamber counted the various taxes which the coal industry was paying over and above those by other industries. In addition there were other paid political blackmailers who threatened to take away money from them. The resolution intended to rouse Government from its usual lethargy. The resolution was put and carried.

## 10.—Protection to Match Industry.

Captain W. Petavel of the Match Manufacturers' Association moved: "(a) This Congress is of opinion that the Indian Match Industry fulfils all the conditions laid down in paragraph 97 of the Indian Fiscal Commission and therefore deserves to be protected.

"(b) This Congress, therefore, urges that the present rates of import duty on matches, splints and veneers be maintained and facilities be provided to make suitable indigenous woods easily available and that transport facilities be afforded to the industry.

"(c) That this Congress recommends to the Government of India that in order to enable the Indian Match Industry to overcome its technical difficulties



and to be developed, legislation be undertaken by them to the effect that all trusts of foreign capitalists establishing factories in India should pay excise on their produce products, the amount of such excise being fixed at a figure calculated to prevent such trusts from strangling the Indian Match Industry with a view ultimately to monopolizing the market and

"(d) That it be also enacted that the inclusion of a few Indian capitalists in such a trust should not be considered a plea for its exemption from the operation of the above rule, such mixed trusts being entitled only to a reduction in the amount of excise in proportion to Indian capital thus employed."

In moving the resolution Capt. Petavel said that uneconomic agricultural holdings would no longer be a night-mare for rural India if India could develop industries as had been done in Belgium where agricultural holdings were even smaller than in India, and the match industry held out prospect of adoption all over India as material for its production was available all over the country.

Mr. R. H. Gandhi warned that Swiss and American trusts were world-wide and that these trusts threatened their industries. Not only the Government but the public must be fully roused to a realization of the danger.

Mr. Hussein Bhai Lalji said that though the Government had appointed Directors of Industries and other administrative staff, they had never tried to find out what industries were possible. Here was the match industry which held out prospect of considerable forest revenue. If the match industry prospered, this industry would give employment to no less than four lakhs of people.

Mr. P. M. N. Mehta of the Glass Bangle Merchants' Association, Bombay, urged doubling of duty to protect Indian industry. They could be self-contained in the matter of matches.

The resolution was put and passed.

### 11.—Reduction of Railway Freights.

Mr. Anandji Haridas of the Indian Chamber of Commerce, Calcutta, moved and Mr. Addy supported the resolution urging the Government to provide every facility for transport by rail of raw materials to manufacturing centres and of finished products to ports of shipment as is done in all industrial countries and to reduce railway fares and freights to promote this end. The resolution was passed.

M. U. S. Chowdhury of the Indian Produce Association, Calcutta and Mr. D. P. Khaitan next spoke on the resolution pressing for reintroduction of rights and facilities which were withdrawn by the East Indian Railway Authorities in connection with produce trade at Howrah in March, 1927. Mr. Khaitan said that the Government did not care a fig for Indian vested interests but was fully mindful of European vested interests as was shown by their proposal to compensate a company under the Howrah bridge scheme.

The resolution was adopted.

### 12.—Coal Freight over long distance Traffic.

Mr. Amritlal Ojha of the Indian Mining Federation moved and Mr. Thakar supported the resolution which the Congress passed declaring that ten per cent reduction in coal freights over long distance traffic falls short of minimum requirements and urging reduction of at least twenty-five per cent of coal freight all over India. The resolution also protested at the callous attitude of the Railway Board in this respect and also urged that

reduction of fifty per cent be effected in freight on soft coke to enable consumers suffering from want of fuels to use soft coke for domestic purposes.

### 13.—Railway Advisory Committee.

Mr. R. K. Sidhwa and Mr. C. Gopala Menon characterised the Railway Advisory Committee as farcical in proposing and supporting the resolution urging wider representation to Indian mercantile community on railway advisory committees. The resolution was passed.

### 14—24.—OTHER RESOLUTIONS.

Mr. Sidhwa moved and Mr. C. A. Buch of the Buyers' and Shippers' Chamber, Karachi, seconded the next resolution which was passed which urged survey of the Karachi-Bombay Railways and also to connect Karachi and Cawnpore directly. Mr. Buch said he was not sure whether the fact that European merchants of Karachi also wanted this latter connection did not show some underhand move against Indian interest.

A resolution recommending reconstruction of the Rates Advisory Committee and its replacement by a rates tribunal on English lines was moved by Mr. Rangaswami of the Indian Chamber, Calcutta, and supported by Mr. Gopala Menon of the South India Chamber of Commerce and was next adopted.

Sir Dinshaw Petit next put from the chair six resolutions which were adopted without discussion. These recommended (1) reintroduction of the system of reweighment of coal consignment at destination to remedy pilferage, (2) early reduction of third class passenger fares about which comparative indifference had been shown by railway authorities, (3) adoption of active policy of encouraging water transport through provision of facilities for working of coasting vessels and shipping and landing of traffic for coast at major and minor ports in India, grant of concession in port dues and landing and shipping charges and institution of enquiry into inland water communications with special reference to unfair railway competition as unanimously recommended by the Acworth Committee, (4) that with a view to give protection to steel industry all State Railways and Government departments should purchase Indian iron and steel to meet their requirements and that all company managed railways, municipalities, district boards and other public bodies should do the same even at preferential prices as compared with the price of imported material, and (5) that the Assembly's resolution regarding stores purchase be put into effect and tenders be invited in India in Indian currency and be opened in the presence of tenderers and that stores purchase rules be amended as recommended by the Indian Merchants' Chamber, Bombay. The resolution also complained of the frequent cases of higher tenders being accepted by the London Stores Department on the plea of urgency, resulting in waste of public money and urges the Government to impress on all indenting officers the necessity of preparing and despatching indents as early as possible before stores are actually required in India to enable purchases to be made as economically as possible.

The sixth resolution urged Government to speedily Indianise all commercial departments specially port trusts, development and improvement trusts, Imperial Bank, Railways, Posts and Telegraphs, Irrigation and Income-tax.

The final resolution disposed of on this day was that moved by Mr. Buch and supported by Mr. Sidhwa strongly recommending that the constitution of port trusts be so Indianised, that a majority of the members therein should consist of Indians elected by commercial and other important bodies concerned.

The Congress then rose for the day disposing of 24 out of 32 resolutions.

### THIRD DAY'S PROCEEDINGS.

Attendance was thin when the Congress met for the third time on the 2nd January in the noon to conclude the business of the session.

#### 25.—Mercantile Marine Committee Report.

Commencing the proceedings Mr. S. N. Haji, M.L.A. moved :—

(a) "This Congress, while fully deprecating the glaring omission in the report of the Indian Mercantile Marine Committee even to consider the position of shipping in overseas or international trade and being keenly aware of its other limitations, recognises its sympathetic tone towards the development of national shipping and generally welcomes its main recommendations.—(1) establishment of a training ship for the purpose of national training; (2) to preserve coasting trade of India to vessels owned and controlled by Indians and (3) to start and develop ship-building industry in this country by liberal help from the State.

(b) "This Congress has noted with anxiety the change from extreme apathy to direct hostility in the attitude of the Government of India towards the development of Indian shipping and shipping industries as was indicated in a speech which the Hon'ble Sir Charles Innes delivered in the Legislative Assembly last March, and once again records its emphatic protest against the inexplicable delay on the part of the Government of India in considering fully the report of the Indian Mercantile Marine Committee submitted to them nearly three years ago and yet expresses the hope that the Government of India will even now realise their duty towards this national key industry and take effective steps to start its development by carrying out all the recommendations of the Committee at a very early date.

(c) "The Congress, while welcoming the decision of the Government of India on the recommendation of the training ship in Indian waters, strongly endorses the note of warning recently sounded in this connection by the chairman of the Scindia Steam Navigation Company that unless the Government of India make it obligatory by statute as recommended by the Mercantile Marine Committee in their report on ships plying on the coast to recruit at least 50 per cent of their officers from those who obtain the necessary certificate of competency after undergoing training on the training ship, the scheme is bound to fail.

(d) "The Congress welcomes the growing interest of the people in the development of Indian shipping and notes with pleasure the increasing number of Indian steamers and development of comparatively small ports on the western coast of India and while feeling grateful to Indian members of the Legislative Assembly for strenuous efforts to introduce bills for the reservation of coasting trade of India to Indian shipping and abolition of the system of deferred rebates, unhesitatingly accords to these measures their strongest support.

(e) "This Congress strongly objects to deferred rebates system and calls upon the Government to take immediate steps to abolish same without further delay."

In moving the resolutions Mr. Haji said that the history of all mercantile shipping countries showed that the State had helped their establishment. In India no such help had been rendered by the State. The British India Company and the P. and O. Company were determined as was shown by Lord Inchcape's recent speech to thwart any other concern whether British or Indian to come into the field. Not only were they successful in this but the British India Company succeeded in dictating to the Government of India its own terms raising by 50 per cent the contract rates for carrying mails. National shipping could be promoted by reservation of coastal traffic only and when national shipping developed, these could supplement transport in the country and would cater to the best interest of the Indian trader. They knew how at present Indian business suffered because shipping, banking and insurance were controlled by foreign concerns. These difficulties were particularly felt in Calcutta. He calculated that roughly 50 to 60 crores of rupees were involved in this question. A good proportion of this should come to Indian Companies. The Government of India did not help them to-day with the result that this fifty to sixty crores mostly went to Great Britain. They must persist in agitating for the assertion of Indian right.

Mr. Adamji Haji Dawood of the Burma Indian Chamber of Commerce seconded the resolution.

Seth Maoji Govindji, in a spirited speech, said though the Mercantile Committee had reported three years ago the Government, afraid of British vested interests, sat sphinx-like. The Congress must fight hard to win their point.

A voice : There is power of certification.

Seth Govindji : "Yes, but there is bigger word, justice. I say if India had her own army, her own navy and her own Mercantile Marine, England would not have had to appeal to its American cousins to save it from Germany. A strong India will make the Empire strongest force in the world. It is not too late even now to let jealousy give place to goodwill. Our demands are very modest. We want just the right that the handful of people of Australia and other Dominions possess. The government can find four crores of rupees to sink in railway collieries but had no money for shipping. Let us stand by this resolution, hit at it and hit hard and work at it till we succeed."

Professor B. K. Sarkar of the Bengal National Chamber said that the greatest patriot, Sgr. Mussolini, had adopted a premium and subsidy policy to develop Italian mercantile marine. Sgr. Mussolini had given up custom revenue to the extent of seven crores by abolishing customs duty on articles employed for the construction of ships.

Mr. Gopal Menon next spoke after which the resolution was passed.

## 26.—Representation at Imperial and International Conferences.

Sir Lalubhai Samaldas moved :—"This Congress is emphatically of opinion that India should be represented at all International and Imperial Conferences by Indians only and strongly condemns the policy of appointing non-Indians to be her representative at any such conferences and urges that

the nomination of such representatives be elected by the Legislative Assembly and the nomination of representatives to International Labour Conference, Imperial Economic Conference and the like conferences should be from a panel of representatives elected by the Federation of Indian Chamber of Commerce and further urges that the High Commissioner for India should be placed in the same position as the High Commissioners of different self-governing colonies with regard to representing their respective Governments at International and Imperial Conferences".

In moving the resolution Sir Lalubhai said that the resolution put forward a modest demand and would not have been necessary if the government of the country had been self-governing. The promise given by Sir Mahomed Shafi on behalf of the Government of India, had not been made good. Officials of the League of Nations whom he met recognised that India was in a difficult position. India could provide most competent leaders of the Indian delegation. Mahatma Gandhi could ably represent India at any world body which had before it an ideal of peace and goodwill. As for administrators, had not India produced men like Lord Sinha?

Mr. S. N. Haji, while admitting that in theory the Government of India as constituted to-day had to be represented by one belonging to the Executive Government, said that even in spite of this restriction proper selection could be made. Their grievance was greater in respect of International Labour organization and they must expose the machinations by which the Government of India prostituted the Treaty of Versailles in the interest of non-Indian organizations. A country could be represented by its nationals only and he hoped that they would not agree to the suggestion that the Indian Chambers and the European Chambers should alternately select employers' representative.

The resolution was put and carried.

#### 27.—Acquisition of Tea-Lands in Bengal by Indians.

Mr. J. C. Ghose of the Indian Tea Planter's Association moved that in view of the difficulty of securing undeveloped tea-growing land in the province of Bengal, this Congress urges that earliest steps should be taken by the local Government to withdraw the existing restrictions on acquisition of tea lands by Indians in the Doors of Bengal. Mr. Ghosh said that the capital invested in tea business was more than that in cotton or jute. But of 42 crores of capital put in this business less than two crores belonged to Indians. The resolution was supported by Mr. N. Sen and was passed.

#### 28—31.—OTHER RESOLUTIONS.

Four resolutions were next put from the chair and were passed. They were:

(1) "This Congress strongly protests against the statements made by Sir Louis Kershaw, delegate of the Government of India before the Credentials Committee of the ninth session of the International Labour Conference at Geneva that Bengal and Bombay Chambers of Commerce (European) are the most representative organizations of employers in India, and are strongly of opinion that Indians alone shall be sent to such International gatherings to represent the interests of India, an opinion which has been fully supported by the findings of the Credentials Committee of such representative body

as the ninth session of the International Labour Conference to the effect that representations of a country at the general conference should be a national one.

(2) "This Congress recommends to the Government of India that Mr. G. D. Birla of Messrs. Birla Brothers of Calcutta and President of the Indian Chamber of Commerce, Calcutta, be nominated as the Indian employer's delegate to the 10th session of the International Labour Conference as recommended by the All-India Chambers of Commerce and commercial associations.

(3) "This Congress draws the attention of the Government of India to the frequent and prolonged interruptions in Indo-Burma telegraphic traffic which cause hardship and inconvenience to the public in general and commercial community in particular and urges that early steps be taken to provide some suitable system of telegraphic communication between India and Burma which would be immune from such interruptions.

(4) "This Congress deplors the lack of practical training in commerce and industry in the present system of education and invites the attention of the Indian universities to the urgent need of it with a view to the development of business training in India.

Next Session Invited to Madras.

After all the thirty-one resolutions on the agenda had been passed without any alteration, Mr. Gopal Menon invited the first session of the new Federation to Madras.

Vote of Thanks to the Chair.

A vote of thanks to the chair was proposed by Mr. Khaitan. He paid an eloquent tribute to Sir Dinshaw Petit's fitness to lead the Indian mercantile community. The establishment of the Federation had disproved the suggestion of those who said that the Indian commercial bodies could not unite on one platform.

Mr. W. C. Bannerji said that Sir Dinshaw had wealth, honour and power and hoped that Sir Dinshaw would not fight shy of fighting the bureaucratic government.

Mr. G. D. Birla associated himself with the resolution. He recalled that it was four years ago than he suggested to Sir Purshottamdas Thakurdas, Sir Ibrahim Rahimtullah and others that they should have an Indian Associated Chamber. Then the idea did not make headway. It was in last August at Simla that Pandit Malaviya and Lala Harkishen Lal called a meeting which proved successful. When he passed the Royal Exchange Building built by the Bengal National Chamber he felt that the Indian community should have bigger exchange. Their Secretariat should be as big as that of the Bengal Government so that they might not be at the mercy of the Government figures. This would be a good investment. They had already collected some funds but that was only the beginning.

Sir Dinshaw Petit's Concluding Speech.

Sir Dinshaw Petit, in acknowledging the vote of thanks, took pride in that he presided over a session which gave birth to a body which would be more important than any commercial body that had come into existence in India till now. The provisional committee had a great task before it, but he hoped that with its help and particularly with the help of Sir Purshottamdas, the Vice-President and Mr. J. C. Mehta, they would be able to make the

new duties a success. "While we are looking to our political needs, let us also look to our industrial and commercial needs. Our ideal is Self-Government within the Empire and the goal is a laudable one. But side by side with political work, we should keep industrial and commercial position in view so that we should occupy such position that we should be second to none of the different parts of this Empire. Commercial and social advancement must go side by side with political. There are some who run down the European civilisation as tinsel civilisation but surely there are some features among European nations which we should well adopt. We are behind them by generations. When they are able to build motors, we cannot manufacture even parts of a bicycle. When they can build big steamers we are not able to turn out even a small steam launch. All this difference between them and us comes home to me when I travel in Europe. I feel how backward we are. Let us, therefore, unite. Let us work shoulder to shoulder and let us advance both commercially and industrially as well as politically. Then only we can command the respect of the other parts of the world. Then only we could assert ourselves as one of the foremost countries of this world. (Loud applause). Though this Congress ends to-day, I hope our united efforts will bring into being an association which will respond to all our hopes and fulfil our expectations."

The Congress was then dissolved and the delegates were entertained to a garden party by the Indian Produce Association, Calcutta.

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## Development of Industries in Bengal.

### The Match Industry.

"After very careful researches and experimentation by the Industrial Chemist"—says the Annual Administrative Report of the Department of Industries, Bengal for the year 1925, "formulae for several very good composition for match heads have been worked out, while experiments on damp-proofing of matches are being conducted. At the instance of the Bande Mataram Match Factory experiments were undertaken under the control of the Chemist in the bleaching of Gengwa wood as a result of which the most economic bleaching powder and the process of treatment were evolved. The Industrial Engineer has resumed experiments for devising improved appliances for the benefit of workers in the bell-metal industry. He has succeeded in devising an improved hackling machine for the development of sunn-hemp rope making on cottage industry lines. Two other useful machines which promise success have also been improved by the Industrial Engineer, viz., one for spinning jute yarn as a cottage industry and the other for bending and marking of umbrellas. The long-standing question of cutting conch-shells more rapidly and under better conditions than by the primitive method now in use, had approached nearer solution by the development of a simple and satisfactory machine devised by the Industrial Engineer.

### Tanning Industry.

"In the Calcutta Research Tannery very useful investigations were conducted not only into the methods of producing the more important varieties of commercial leather from the available raw materials under the local climatic conditions, but also into some

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of the chemical problems in connection with the tanning processes. The cow hides of different parts of the province were being surveyed along with the investigations on the manufacture of ox hides.

### Textile Researches.

"Textile researches of a very useful character were made at the Serampore Weaving Institute. Experiments were made with success in the weaving of coarse jute and coir fabrics and in the spinning of jute, coir, sun-hemp, waste silk and wool as well as in the extraction of cocoanut fibres. Government note with interest that experiments regarding the possibilities of using the fibres of waterhyacinth stalks by spinning and weaving them into strings and matting were conducted at the institute, and considered that the investigation should continue with a view to finding out all further industrial possibilities of this noxious weed.

### Research Tannery.

"The Calcutta Research Tannery has maintained its good record of useful work. It is gratifying to note that two of the apprentices of the tannery who have finished their training have started the business of leather-case making on their own account and one of them now employs as many as 18 workmen. The Governor in Council has now finally decided that the Calcutta Research Tannery should be retained as a permanent institution under the designation of Bengal Tanning Institute thus rejecting the recommendation of the Retrenchment Committee that the trade should pay for the tannery after the expiry of three years from the 1st May 1932.

### Weaving Institute.

"This is another Institution of whose activities the Industries Department can well be proud. There is an insistent demand in the country for weaving instructions, and the Central Institution at Serampore with the district and peripatetic school as well as the demonstration parties attached thereto are going a great way in meeting this demand. But the Governor in Council is of opinion that much more yet remains to be done not only by way of increasing the number of district and peripatetic schools, but also by increasing the number of demonstration parties. Sanction was accorded during the year to the proposal for the establishment of a district weaving school at Suri experimentally for one year with the co-operation of the District Board. One demonstration party has also been added to the staff of the institute. Administrative approval was accorded to the establishment of 12 additional peripatetic schools during the year under report and the establishment of two more has been administratively approved since the close of the year. The starting of these peripatetic schools now awaits the provision of funds.

### Assistance To Industries.

"At the present stage of industrial development of the country, local industry must necessarily depend on technical assistance and advice, and the Governor in Council notices with pleasure that the Industries Department promptly responded to the call of industrialists seeking such help from the various parts of the province as detailed in paragraphs 71-89 and 97-104 of the report. The department also did all that is practicable to secure special concessions on behalf of such of the industries as applied for them. It has also been alive to the fact that one of the essential factors for industrial development in this country is the organisation of markets for the finished products, and all that is practicable has been done to secure facilities in marketing for those who have applied for the same.

### Technical Education.

"Considerable headway has been made during the year under review in the direction of technical education not only by providing to the establishment of new technical institutions and by increasing the allotment for grants-in-aid, but also by making provision for the award of two technical scholarships. The long-standing scheme formulated during the first ministry for the establishment of a Silk-weaving and Dyeing Institute at Berhampore was sanctioned during the year. Want of hired accommodation, however, stand in the way of giving effect to this useful scheme within the year. Arrangement has since been made for housing the institute in one of the vacant buildings of the Berhampore Lunatic Asylum. The Governor in Council is anxious that this school which opens under great prospect for the revival of the silk industry in this Presidency should be started as early as possible.



## DEVELOPMENT OF BENGAL INDUSTRIES

" Besides the weaving school at Suri steps have also been taken for the opening of a survey class in the Burdwan Technical School in co-operation with the District Board.

" A Principal for the Calcutta Technical School was recruited during the year to make preliminary arrangements so that the school might be opened with effect from the beginning of 1926. Owing to some technical legal difficulties, it has not yet been found possible to make over the land and buildings formally to the governing body as contemplated in the scheme.

" During the year under review the recommendation of the Bengal Retrenchment Committee to deprovincialise the existing technical schools at Rangpur, Bogra, Barisal and Pabna was negatived and it was decided to retain them as models for non-Government technical institutions in the Province. The question of improving the condition of these schools is now under consideration. While accepting the principle underlying the recommendation of the Committee that technical education should generously be stimulated by the system of grants-in-aid, Government recognise the necessity for the establishment of more technical schools in the province to suit local conditions with the co-operation of the local bodies where it is available.

" Of the two States technical scholars deputed for the study of glass manufactures and refractories, one joined the Sheffield University and the other the Pittsburgh University. Extension of the scholarship awarded to Mr. Ali Karim for the study of manufacture and refining of vegetable and fish oils was also sanctioned for a further period of one year.

### State aid to Industries.

" The Governor in Council has now finally decided on the necessity of legislation for state aid to Industries. Steps are being taken to draft the Bill so that it may be presented to the Legislative Council as early as possible. Many other provinces in India have already enacted local legislation on the subject. The proposed legislation when passed by the Council will remove some of the more serious difficulties which now stand in the way of industrial development of the Presidency—specially on the lines of cottage and small industries".

# Protection to Steel Industry

The Industrial Commission reported thus in 1918: "The list of industries which, though their products are essential alike in peace and war, are lacking in this country, is lengthy and almost ominous. Until they are brought into existence on an adequate scale, Indian Capitalists will, in times of peace, be deprived of a number of profitable enterprises whilst in the event of a war which renders sea transport impossible, India's all-important existing industries will be exposed to the risk of stoppage, her consumers to great hardship, and her armed forces to the gravest possible danger" (Paragraph 82). The Commission pointed out that the basis of modern organised industries in those countries where they made their first appearance, was the manufacture of cast and wrought-iron but that there was no flourishing iron and steel industry of India and this great deficiency had affected the general situation. The Commission however was precluded from an examination of the relation of fiscal policy to industrial development. It was on the 7th October, 1921, that the Government of India issued a Resolution appointing a Fiscal Commission to examine the tariff policy of the Government of India and to make recommendations.

The Fiscal Commission declared that the measures recommended by the Industrial Commission would not by themselves produce any marked impetus to industrial enterprise. The Commission recommended in the best interests of India the adoption of a policy of protection to be applied with discrimination. But protection involves some loss to the country adopting it and the most important loss is the burden of increased prices that protective duties impose on the people. These losses will, however, be temporary, if the policy of protection is applied with discrimination, and the Fiscal Commission was satisfied that the temporary loss involved will be more than made good by the ultimate gain. The Commission eventually recommended the appointment of a permanent Tariff Board consisting of men of ability, of integrity and of impartiality, to make detailed enquiries into the claims for protection referred to it. The appointment of a Tariff Board, it was held, would minimise dangers of political corruption and mitigate risks of encouraging inefficient methods. The Board would watch the effect of protective duties or other measures of assistance on industries. The Commission referred specifically to the steel industry and remarked: "We think that the question of extending protection to the manufacture of steel should be one of the first subjects for enquiry by the Tariff Board."

The Tariff Board was appointed by a Resolution of the Government of India dated 10th July, 1923, with an official, Mr. G. Rainey, C.S.I., C.I.E., as President, and two Indians, namely, Prof. V. G. Kale and Mr. P. P. Ginwalla as members. The Board considered the claims of the Steel Industry for protection and came unanimously to the conclusion: "At the present level of world prices steel manufacture in India is carried on at a loss. Unless protection is given there is no hope that it will develop for

many years to come, and there is serious danger that it may cease altogether." The danger to the steel industry arose out of the importation of foreign steel from Belgium, France and Germany at abnormally low prices."

The operation of the proposals of the Board was limited to a period of three years, both because of the uncertainty as to the future course of world prices and the probability of a decided drop in the cost of production. The duties recommended by the Board were intended approximately to bridge the difference between the prices at which steel was likely to enter India without duty and the price at which the Indian manufacturer could sell steel at a reasonable profit. Thus the price at which steel bars were expected to come into India was Rs. 140 per ton; the price at which according to the calculations of the Board the Indian manufacturer would be able to sell steel bars with reasonable profit was Rs. 180 and the duty imposed on such bars by the Steel Protection Bill was Rs. 40 per ton. The duty varied, of course, with different qualities of steel goods. The Board came to the conclusion that there was room for economy in the Tata Iron and Steel Works and hoped that the company would pay special attention to it.

The Steel Protection Bill embodying most of the suggestions of the Tariff Board, was passed in June, 1924.

But in the meantime the steel industry went through great fluctuations of prices. The price of imported steel fell further and the Tariff Board was asked in October, 1924, to consider an application from Tata's for further protection. The Board examined the prices at which steel was being imported and those which the Tata Iron and Steel Company had been able to obtain for its products and came definitely to the conclusion that the Steel Protection Act had failed to achieve its purpose. The Board consequently recommended heavy increases in the duties on Steel.

The Government did not think that this further Protection should take the form of the very heavy additional duties proposed by the Tariff Board. The Government, therefore, proposed that protection in the shape of duties should be supplemented by bounties. On the 26th January, 1925, Sir Charles Innes moved the following resolution in the Assembly: "This Assembly recommends to the Governor-General in Council that a bounty should be paid on steel manufactured in India between the 1st October, 1924 and the 30th September, 1925, subject to the following conditions:—(1) The bounty should be paid only to firms or companies manufacturing mainly from pig-iron made in India from Indian ores steel ingots of definite quality; (2) The bounty should be paid on steel ingots manufactured by such firms and at the rate of Rs. 20 a ton on 70 per cent. of the total weight of the ingots manufactured in each month; (3) The total amount of the bounty payable in the 12 months ending the 30th September, 1925, should not exceed Rs. 50 lakhs." The motion was carried.

On the 15th September, 1925, Sir Charles Innes moved a resolution asking the Assembly to agree to grant a maximum of a sixty lakhs bounty to the Steel Industry up to the 31st March, 1927. This was done again after the Tariff Board had gone into the question of continuing protection to the steel industry. The Board reiterated the policy of levying additional duties on imported steel. The Government confessed that the Tariff Board was logical in its view but that it failed to take note of several considerations which could not be ignored. The Government emphasised the fact that bounties were much more generous forms of assistance than an increase in duties.

## PROTECTION TO STEEL INDUSTRY

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The Steel Protection Act expired in march, 1927, and the Tariff Board, with Mr. Ginnala as President and Messrs. Mathai and A. E. Mathias as members, subsequently conducted an enquiry into the condition of the industry. The Board's recommendations briefly are: (1) Protection has substantially improved the position of the steel industry; (2) The prices of imported steel have fallen substantially and unless protection is continued, it will not be possible to manufacture and sell Indian steel in competition with the imported product. (3) The protection already granted should be continued in a modified form for seven years till March, 1934. The Board condemned again the system of bounties preferred by Government. But the most important part of the Report is that which deals with the form the renewed protection to steel will take. The Board reduces the rate of duty and believes that by the end of seven years the industry should be able to meet British competition without the assistance of any protective or revenue duty, if continental prices remain at their present level.

The Board suggested the imposition of a basic duty on all steel imported from whatever country while an additional duty is recommended on steel of non-British origin. This is the scheme of preference which has roused so much opposition. The Bill embodying the main recommendations contained in the report of the Tariff Board was referred to a Select Committee of the members of the Assembly. The majority of the members of the Committee have endorsed the policy of differential duties in certain classes of steel with a lower rate on steel of British manufacture and a higher rate on steel of non-British manufacture. The Committee has modified the Bill by empowering the Governor-General-in-Council to increase, but not to reduce, duty chargeable on articles of British manufacture, if changes in the prices are such as are likely to render ineffective the protection given to the Indian steel industry. The Committee has further provided for an enquiry earlier than April 1933, if circumstances are ever such as to render an earlier inquiry imperative.

It is apparent to all students of public affairs that the present controversy centres round the proposal of differentiation between steel of British manufacture and steel of non-British manufacture. It is generally acknowledged that the steel industry has a claim to renewed protection. The reduction in duties has not been criticised adversely, the demand for the abolition of bounties has not been subjected to informed scrutiny. It shows very clearly the temper of the country. Imperial preference has been the object of Indian suspicion for decades and the moment this proposal of preferential duties has been resuscitated a storm of indignation has burst over it. It cannot be denied that this hostility is prompted by political motives alone.

The position has been further obscured by the line of reasoning adopted by those who advocate the new Steel Protection Bill. Mr. Jinnah was hopelessly wrong when he defined preference as the imposition of unfairly lower duties on British steel so as to reduce British prices in India. These fantastic explanations can only confuse the issue and rouse suspicion. "Preference means that goods from one or more favoured countries pay duty at a rate lower than the general rate. Whether the preferential rate is a real reduction in duty or whether the general rate has been arrived at by making an addition to what is considered the minimum duty, which thus becomes the preferential rate is, in considering the economic effect, immaterial."

## PROTECTION TO INDIA

No one doubts that British steel is a superior product to that which is found generally in continental steel. Even the best works, strictly speaking, suffer from any preferential treatment given to steel which is not produced in India. But the argument which appears to be irresistible is that this preference will indirectly encourage continental steel to come in at a lower rate. The real issue is whether this preference will affect the Indian industry. There is first of all provision in the Bill authorising the Government to raise the rates on British steel if necessary.

We have in addition to this the considered opinion of the Tariff Board that continental steel is affected by a multiplicity of circumstances which cannot be foreseen. The basic duty has consequently to be fixed with reference to the price of standard British steel. It is unfortunate that the political atmosphere is so surcharged with feelings of suspicion as to make an unprejudiced examination of such a subject of profound importance practically impossible.





